

Tying Hands and Washing Hands: The U.S. Congress and Multilateral Humanitarian Intervention

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Among the new issues that national governments and international institutions have grappled with in the post–Cold War period is armed humanitarian intervention, or the deployment of military force primarily for the purposes of protecting citizens of a target state from widespread violations of human rights (see, for example, Murphy 1996, 11–12). While such missions are not unprecedented historically, they have been greatly facilitated in recent years by a number of developments. The end of the superpower rivalry freed the UN and regional security institutions from their Cold War fetters, creating opportunities for them to play a more active role. Advances in communications technology have made distant tragedies seem more immediate to publics in the developed world, feeding a “humanitarian impulse.” And, while norms of sovereignty and nonintervention have long been ignored by powerful states (Krasner 1999), the idea that the international community should intervene in a country for the good of its own people has gained greater legitimacy (Finnemore 1996a). As a result, the last decade has witnessed a large number of military interventions designed to stop humanitarian catastrophes due to civil war (for example, Bosnia and Liberia), state collapse (for example, Somalia), or oppressive government (for example, Haiti and Kosovo). In all of these instances, international organizations such as the UN and regional security such as NATO, the Organization of American States, and the Organization of African Unity have played a role in bestowing legitimacy on the operations and in organizing a collective response.

In the United States, these new developments at the international level have become enmeshed with a long-standing struggle at the domestic level: the dispute between Congress and the president over war powers. In each of the cases of armed humanitarian intervention

involving the United States—particularly Somalia, Haiti, Bosnia, and Kosovo—the debate over which branch controls the deployment of American troops has occupied politicians almost as much as the debate over the merits of the intervention itself. This debate alone is not new, as the struggle over war powers has been a constant feature of American foreign policy. What is new is the interjection of a new set of actors into the mix—international organizations such as the UN and NATO and, through them, other states with influence in these bodies. The missions in Somalia, Haiti, and Bosnia were preauthorized by the UN Security Council; the Bosnia and Kosovo operations were approved by NATO. By contrast, none of these missions was fully preauthorized by Congress, and indeed most met strong opposition there. In the case of Kosovo, the Senate, but not the House, voted to authorize the air campaign the night before it began. In the case of Somalia, the president received some *ex post* authorization, but the different resolutions of the House and Senate were never reconciled, and the whole matter of authorization fell by the wayside once large-scale casualties occurred.

These events are put in perspective in table 1, which lists all of the major operations involving U.S. troops from 1950 to 1999, based on a list compiled by the Congressional Research Service (CRS) (Grimmett 1999).¹ For each mission, the table indicates whether there was congressional authorization and/or opposition. In cases in which Congress authorized the mission, the entry indicates whether the authorization came before the mission started (*pre*) or after it was already under way (*post*). Opposition to an operation can, of course, take many forms and be of different degrees. There are few, if any, cases in which no member of Congress opposed the use of force. For the purposes of the table, a higher threshold was used to determine opposition: majority support in at least one house for a resolution to cut off funding, deauthorize, or declare opposition to the mission or a majority vote against a resolution to authorize the mission, if such a measure came to a vote. Finally, the last column of the table indicates whether the mission was approved by an international organization such as the UN or NATO.

The cases in this table obviously vary quite a bit in terms of the mission's size, goals, duration, and danger to U.S. troops. As a result, it is important to be cautious in drawing conclusions. For our purposes, two patterns stand out. First, the largely humanitarian operations of the last decade met much more congressional opposition, and enjoyed less frequent congressional authorization, than did opera-

TABLE 1. Uses of U.S. Armed Forces Abroad, 1950–99

Years	Mission	Congress		International Organizations
		Authorized	Opposed	
1950–53	Korean War	no	no	UN
1954–55	Taiwan Straits	pre	no	no
1958	Lebanon	pre	no	no ^a
1961–62	Laos	no	no	no
1962	Thailand	no	no	no
1962	Quarantine of Cuba	pre ^b	no	no
1964–73	Vietnam War	pre	yes	no
1965	Dominican Republic	no	no	no ^a
1970	Cambodia	no	yes	no
1975	Mayaguez incident	no	no	no
1980	Iran hostage rescue	no	no	no
1982	Sinai multinational force	pre	no	no ^c
1982	Lebanon	post	no	UN
1983	Grenada	no	no	no
1986	Libya	no	no	no
1987–88	Persian Gulf (tanker reflagging)	no	no	no
1989–90	Panama	no	no	no
1990	Saudi Arabia (Desert Shield)	no	no	no
1991	Persian Gulf War	pre	no	UN
1992	Somalia (UNITAF)	post	no	UN
1993–94	Somalia (UNOSOM II)	no ^d	yes	UN
1993	Iraq (retaliation for Bush plot)	no	no	no
1993–	Iraq (no-fly zone enforcement)	pre ^e	no	UN
1993–	Macedonia	no	no	UN
1993–95	Bosnia (no-fly zone & safe havens)	no ^d	no	UN, NATO
1994	Rwanda	no	yes	UN
1994	Haiti	no	yes	UN
1996	Zaire	no	no	UN
1998	Afghanistan/Sudan	no	no	no
1998–	Iraq (WMD inspections)	pre ^e	no	UN
1995–	Bosnia (IFOR/SFOR)	no	yes	UN, NATO
1999	Kosovo (air strikes)	no ^d	yes	NATO
1999–	Kosovo (peacekeeping)	no ^d	no	UN, NATO

Note: The list of operations is based on a list of cases given in Grimmett 1999.

^a In these cases, U.S. deployment was alongside, but neither part of nor authorized by, a UN mission.

^b While not strictly authorized by Congress, the Cuban quarantine followed the spirit of a joint resolution passed on Oct. 3, 1962, which declared that the United States was determined “to prevent in Cuba the creation or use of an externally supported military capability capable of endangering the security of the United States” and to prevent, with force if necessary, the extension of Cuban influence in the hemisphere (Wor-muth and Firmage 1989, 45).

^c The Sinai mission grew from the Egypt-Israel peace treaty, which called for monitoring by a UN force; however, Soviet, Arab, and Third World opposition to the Camp David accords prevented the UN from assuming that role.

^d Only the House voted in favor of authorizing U.S. participation in UNOSOM II. Only the Senate passed resolutions authorizing the missions in Bosnia (post) and Kosovo (pre). Prior to the air war, the House preauthorized a peacekeeping operation to Kosovo, but the mission envisioned at the time was much different than the one that followed the war.

^e Authorization for these missions derives from the original authorization for the Persian Gulf War (PL 102-1), a fact that was reaffirmed in PL 102-190.

tions during the Cold War. Whether this is a post–Cold War effect, a humanitarian intervention effect, or a Clinton effect is still too early to determine. The second observation is that the frequency of IO involvement skyrocketed after 1990. Virtually every mission in this period had not just a multilateral cast but the explicit blessing of an international organization. As a result, there are very few cases in this period in which the president used military force on his own—that is, without authorization from either Congress or an international body. Moreover, two of these cases—the June 1993 attack on Iraq and the August 1998 attacks against Afghanistan and the Sudan—consisted of cruise missile strikes that put no troops at risk and were over in a matter of hours.

These patterns—the rise of congressional opposition and the increased reliance on international organizations—make U.S. involvement in armed humanitarian interventions an interesting setting in which to explore the relationship between domestic and international institutions. Table 1 suggests that the president has found international organizations to be a useful ally in part to decrease and to overcome the resistance of the national legislature. In this chapter, I consider whether and how international organizations play this role. In what ways does the involvement of IOs help the president deal with Congress in this policy area?

I argue that working through international institutions magnifies the considerable advantages that the president has long enjoyed over Congress when it comes to the use of force—advantages that are primarily domestic, rather than international, in origin (see, for example, Lindsay 1994, 1995; Hinckley 1994; Warburg 1989). For example, members of Congress tend not to care as much about foreign policy since their reelection is driven more by domestic, even local, concerns; collective action is harder for legislators than for the executive, making it easier for the president to present Congress with *faits accomplis*; and the president has access to better information about diplomatic and military conditions that will affect the success of the mission. Many of these factors play an important role in the cases considered here, and they do not depend upon the involvement of international institutions.

Working through international organizations can, however, magnify the president’s advantages in this area, and IOs are thus part of a multifaceted strategy to overcome, or render irrelevant, congressional resistance. In particular, organizing missions through interna-

tional bodies can increase public support—or at least diminish public opposition to a point at which the president has leeway to ignore it. Working through international organizations also creates a way for the president to commit himself to an operation, by increasing the costs of turning back. As we will see, by tying his own hands and signaling that he will go forward with an operation, regardless of congressional resistance, the president can induce legislators to shy away from efforts to deauthorize, defund, or otherwise limit the mission.

My strategy in developing this argument is first to consider how domestic institutional arrangements influence the incentives of legislators and the discretion of the president when it comes to using force. In the first section, I develop a simple formal model that captures the interaction between the president and a pivotal legislator who is inclined to oppose a deployment of forces. The model shows, in a very general way, some of the factors that tend to increase the president's ability to mute congressional opposition. In particular, it shows that the president can induce inaction on the part of Congress by making clear signals that he is willing to proceed with an operation in the face of congressional efforts to block him. By doing so, the president can put legislators in the politically risky position of having to put the breaks on an ongoing operation. I argue that legislators' motivation to avoid blame for failed policies—and dead soldiers—can lead them to sit on their hands under these conditions.

In the second section, I theorize that working through international organizations facilitates this policy of commitment by increasing both public support for an operation and the costs to the president of giving in to congressional resistance. The next three sections explore the predictions of the theory by looking at three cases of armed humanitarian intervention: the 1994 invasion of Haiti, the 1995 deployment of peacekeepers to Bosnia, and the brief 1994 humanitarian operation in Rwanda. The first two cases show how the use of international organizations helps to create a momentum toward deployment that members of Congress are unwilling to try to stop. The third case shows how weak domestic and international commitments by the president can open the door for Congress to effectively block an operation. I conclude with a brief consideration of whether members of Congress have learned anything from their failure to resist the president and of the extent to which they have sought to change the rules of the game to increase their leverage in this area.

Congress, the President, and Armed Humanitarian Intervention

The struggle between Congress and the president over war powers has been the subject of numerous studies (Lindsay 1994, 1995; Warburg 1989; Wormuth and Firmage 1989; Hinckley 1994; Fisher 1995a), and there is no need to reiterate all the political and legal arguments that have surrounded this issue. There is little disagreement that the Constitution endows Congress with the ultimate authority to make war and that the framers envisioned that power as covering acts that have, for presidential convenience, been labeled “police actions” or “limited engagements” (see, especially, Fisher 1995a). Since at least 1945, however, the political reality has been very different, as the president has enjoyed strong discretion over decisions to use force. Though the reasons for this are numerous, there are two particular features of the U.S. political system that are worth highlighting in the context of armed humanitarian intervention. The first deals with the incentives of legislators; the second deals with the institutional prerogatives of the president.

For reelection-minded legislators, armed humanitarian interventions are high-risk, low-return policies. Taking bold stands on matters of foreign policy is not how most members of Congress count on being reelected. Except for a small handful of individuals who do stake out visible positions on foreign policy—often senators with presidential aspirations—most consider constituent service, pork-barrel politics, and position taking on domestic issues to be more politically potent (see, for example, Mayhew 1974; Arnold 1990). At the same time, there is a great deal of risk and uncertainty associated with military ventures. This uncertainty is not unique to decisions over the use of force, but it is more pressing in this context. Whereas the consequences of domestic policy choices are often unclear and unfold over a long time, decisions about the deployment of troops can have immediate and dramatic consequences. Thus, years after the passage of, say, a welfare reform bill, people will be arguing over its effects; decisions to use force, on the other hand, can have observable costs and benefits in the very near time—that is, before the next election.² As a result, while uncertainty over outcomes can embolden legislators to take strong policy stands on domestic issues, it can have the opposite effect when it comes to the use of force.

For most members of Congress, the politics surrounding humanitarian intervention are dominated by what Weaver (1986) calls “the politics of blame avoidance”: There is very little electoral advantage

in claiming credit for policy initiatives, but there is a danger of being blamed if things go badly. Indeed, Kull, Destler, and Ramsay (1997), in their study of public and elite views on intervention, find that members of Congress see much more danger than opportunity in voting for humanitarian operations:

Politics is driven enormously by what'll get you in trouble; and members . . . think through "Where could it go wrong?" and "What trouble would I be in?" Now, if they don't vote enough for the UN, they're not going to hear [criticism] from anyone. But if they vote for the UN or vote for a peacekeeping operation and it ends up like Somalia, they know how the phones light up. And the phones did light up then, and they were mostly negative. (143)

Thus, members of Congress want to avoid blame that might arise from authorizing a mission that ends up going badly.

The desire to avoid blame for failures can cut both directions, however. Members of Congress also wish to avoid the charge that their actions undermined the country's foreign policy or, even worse, put U.S. soldiers at risk. Particularly once troops are deployed, a vote to deauthorize, defund, or otherwise constrain their mission has enormous political risks. We will see in the following cases that members of Congress are very reluctant to be seen as undercutting troops that are in the field (see also Hendrickson 1998; Auerswald and Cowhey 1997). Unless the operation is already causing casualties—as in Somalia—there is a strong tendency to "leave well enough alone," lest congressional action be blamed for any tragedy that might occur. In addition, the act of deploying troops puts the credibility of the United States, and any sponsoring organizations, on the line. Pulling the plug on an ongoing operation thus exposes a legislator to blame for any reputational costs thereby incurred. Thus, members of Congress face risks on both sides: In voting for an operation they risk blame for supporting a failed and costly mission; in voting against it they risk blame for causing the mission to fail.

These incentives toward inaction are compounded by a second key feature of the U.S. political system: the unilateral powers of the president to conduct foreign policy and to deploy troops. Like other policies considered in this volume and in the literature on two-level games (for example, Evans, Jacobson, and Putnam 1993), decisions to use force require ratification by the legislature: At the very least, Congress must supply funds for the operation. It is generally accepted,

however, that the president can use his control over foreign policy to make international commitments and can use his authority as commander in chief to deploy troops—both without explicit preauthorization from Congress. Indeed, the 1973 War Powers Resolution, Congress’s landmark attempt to reclaim its war powers after Vietnam, explicitly permits the president to put troops in potentially hostile situations for a period of at least sixty days before having to come to Congress for authorization.³ Thus, rather than needing ratification before the policy can go forward, the policy initiator can start implementing the policy unilaterally and then dare the ratifier to pull the plug. Even if a majority in Congress prefers that the policy not go forward, the president’s powers give the legislature few opportunities to block the policy preemptively. Opponents of the operation then face a choice between trying to veto, defund, or otherwise limit an ongoing policy—thereby risking blame if things go badly—or throwing up their hands in frustration. More often than not, they do the latter.

To understand the conditions that enhance presidential discretion, I present a simple formal model that captures the interaction between the president and Congress on a decision to deploy troops. In the real world, of course, multiple games are going on at the same time: between the president and Congress, between the Democrats and the Republicans, and between the leadership and the rank and file, not to mention the strategic interactions at the international level involving international institutions and target states. Focusing on the first of these interactions allows me to strip away some of this complexity to focus on the conditions under which legislators’ reelection incentives and the president’s unilateral powers interact to produce congressional inaction. In modeling the interaction between Congress and the president, of course, one has to be careful because the former is obviously not a unitary actor. Rather than have a model with 536 actors, however, I will focus on the problem of a pivotal legislator—that is, a legislator (or bloc of legislators) whose vote or votes determine whether a measure to block an operation passes.⁴

Sequence of Moves

The extensive form of the game is depicted in figure 1. The game begins with the president’s decision of whether or not to commit the United States to an international operation in a way that would entail substantial costs for reneging. A strategy of commitment entails making public statements, such as televised addresses, ordering vis-

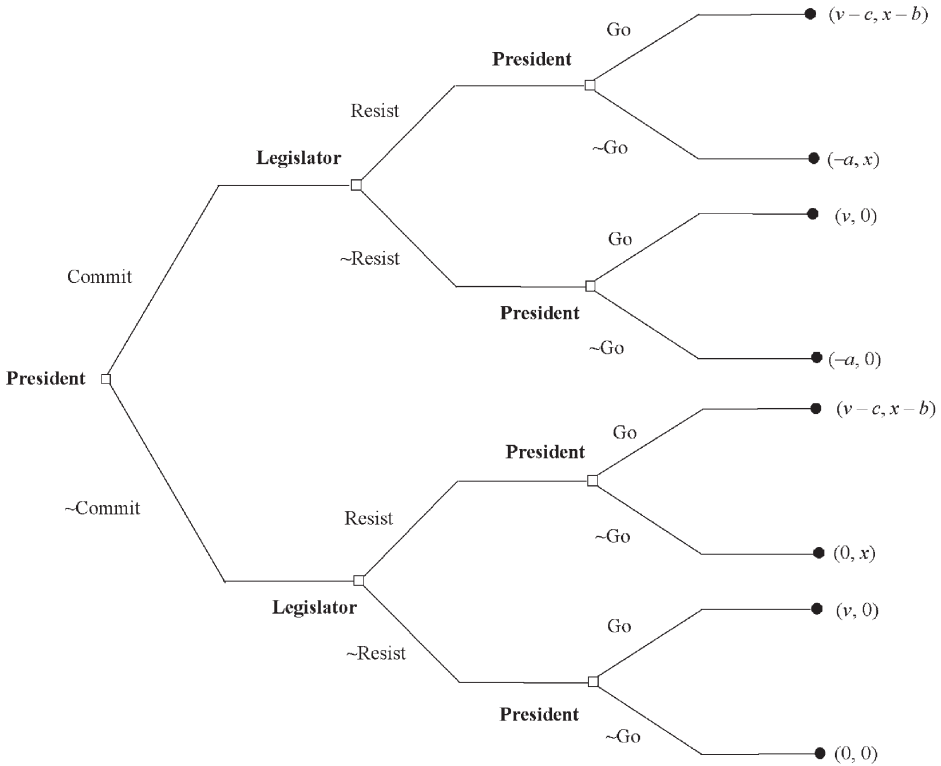


Fig. 1. Presidential commitment and congressional inaction

ible troop movements, and/or obtaining the support of international actors and organizations. As Fearon (1994), Sartori (2002), and Guisinger and Smith (2000) have argued, such actions put the credibility of the president and the nation on the line, thereby exposing him to “audience costs” should he later back down from the commitment.⁵ A decision not to commit does not prevent the president from undertaking an operation if he wants to, but it does decrease the costs of deciding not to do so. To give a concrete example, President Clinton made numerous commitments to deploy peacekeepers to Bosnia as part of a NATO force; he then argued, and many in Congress seem to have agreed, that he had to carry out these commitments to preserve U.S. credibility and leadership of the alliance. On the other hand, Clinton made few such commitments when deploying troops to aid in humanitarian assistance to Rwanda; the deployment was not

widely touted or publicized, and the administration was careful to avoid entangling U.S. troops in the larger UN operation. Thus, there were fewer costs to pulling out of the operation.

After the president makes his move, the legislator must decide either to resist or not to resist the operation. Resistance can take a variety of forms, including the denial of funds or the imposition of stringent time limits. In reality, of course, legislators have additional choices, including authorizing the mission or voicing opposition without actually imposing burdens on the operation. To keep things simple, however, I will assume that the pivotal legislator is generally opposed to the mission and must decide whether to try to stop it. The president must then decide either to go forward with the operation or not to do so. Notice that the president can still continue the operation if Congress resists it; as we will see, congressional opposition makes the continuation of the operation more costly.

Payoffs

The president's expected value for the operation is given by v . I further assume that, if the operation goes forward after Congress tries to block it, the expected value is reduced by an additional cost, c . This cost reflects both the political costs that the president might incur for moving ahead in spite of an act by Congress to stop him and the possibility that the operation will be less successful if it is restricted with time limits or not properly funded. If the president does not go forward with the mission, he receives a payoff of zero if he did not undertake a costly commitment and a payoff of $-a$ if he did.

The legislator's payoff has two components: one that depends upon the position he took (if any) and one that depends upon the outcome of the operation. I assume that the legislator has some fixed motivation to take a position against the mission, a motivation that derives from personal, ideological, or partisan considerations. Thus, in the cases I consider, those who voted to block the missions tended to be conservative and Republican—ideologically predisposed to be against armed humanitarian operations and politically motivated to oppose Clinton. Liberals and Democrats tended to be more supportive, for exactly the opposite reasons. To capture such biases I let x denote the payoff to the pivotal legislator for voting against the mission; if the legislator chooses not to act, the payoff is zero because the legislator has effectively taken no position. Thus, legislators with high values of x are strongly motivated to take a position against the op-

eration. In addition, the legislator faces some political risk if she or he votes to resist the operation and things go badly. I capture this risk by assuming that the legislator pays a cost, b , if the president goes forward with the operation after the legislator has voted to block it. This term combines the probability that the mission will go badly, the probability that some future opponent will attempt to use the legislator's vote against her or him, and the political costs of incurring that blame. Without being explicit about the magnitudes of these probabilities and costs, I simply assume (consistent with my reading of the cases and the literature) that this effect is negative in expectation.

Information and Beliefs

I assume that there is two-sided incomplete information: The legislator is unsure about how much the president values the mission, v , and the president is unsure about the strength of the pivotal legislator's opposition to the mission, x . I assume that v is drawn from a probability distribution over the real numbers and that x is drawn from the positive real numbers. The second assumption focuses our attention on cases in which the pivotal legislator is known to be against the mission, which seems appropriate for most cases. Let F denote the cumulative distribution function for v and G denote the cumulative distribution function for x .⁶ These functions are common knowledge to both players.

Solution

The solution to the game is rather straightforward. We begin by positing an equilibrium of the following form. The president's strategy is described by two cutpoints in the continuum of possible types. The first cutpoint, which we denote v^* , separates those types that will make a costly commitment and those that will not; thus, when $v > v^*$, the president will make a costly commitment to the operation, and when $v \leq v^*$, he will not. The second cutpoint, which we denote v^{**} , separates those types that will go forward in the face of congressional resistance after making a costly commitment and those that will not. It is shown in the appendix to this chapter that $v^* \leq v^{**}$, meaning that the continuum of types is effectively divided into three ranges: those that do not make the commitment and will not go forward if Congress resists ($v < v^*$); those that make the commitment and go forward if and only if Congress does not resist ($v^{**} > v > v^*$); and

those that make the commitment and go forward regardless of what Congress does ($v > v^{**}$). Under some conditions, the middle range does not exist.

Given this strategy, the pivotal legislator knows that the president will not go forward in the face of resistance if he did not make a commitment. Hence, because the legislator is inclined to oppose the mission (that is, $x > 0$), she or he will move to block it, safe in the knowledge that such a move will be successful. If the president does make a commitment, then the legislator's posterior probability that the president would go forward in the face of an attempted veto is

$$\Pr(v > v^{**} \mid \text{Commitment}) = \frac{1 - F(v^{**})}{1 - F(v^*)} \equiv q. \quad (1)$$

Clearly, the legislator will only move to block the mission if the expected payoff from doing so is greater than zero, the certain payoff for abstaining. Simple arithmetic shows that the legislator resists if

$$x > qb. \quad (2)$$

Thus, the more the legislator is opposed to the operation the more she or he wants to resist it, but how much opposed the legislator has to be depends upon how likely it is that the president will proceed anyway (q) and upon the potential blame that the legislator would incur if things go badly in this event (b).

The model has several implications about the conditions that foster congressional inaction. First, the legislator is less likely to resist when the president has made a costly commitment than when he has not. Moreover, while there is no guarantee that an increase in audience costs always leads to a lower probability of resistance, the overall relationship has this shape. In particular, I show in the appendix that the probability of resistance when $a > G(b)c$ is always less than the probability of resistance when $a < G(b)c$. Second, anything that increases the value of the operation to the president will also decrease the likelihood of resistance. If, for example, it was known that the value to the president increased from v to $v + z$, keeping the distribution of v constant, then the probability of resistance by Congress would go down. Both of these changes serve a common purpose: convincing the legislator that the president will go forward even if she or he tries to block him. Recall that, in trying to block the operation, all but the most extreme opponents (that is, all

legislators for which $x < b$) are gambling between their best outcome, in which the mission is successfully blocked, and their worst outcome, in which the mission goes forward despite their attempts to stop it. The more likely it is that the president will go forward in spite of the legislator's attempts to limit the mission, the less attractive that gamble becomes. In practice, there are a number of ways in which the president can increase the costs of his commitments and/or his value for the operation, thereby making congressional inaction more likely. I now argue that garnering the support of international organizations is an efficient way to do both.

How International Organizations Help the President

There are two primary benefits that the president enjoys when he organizes an intervention through an international organization. The first is an increase in public support for the mission by adding legitimacy and a promise of burden sharing. This has the effect of increasing his expected value for the operation and may soften the opposition of members of Congress who are otherwise on the fence. The second benefit is that making commitments to international organizations provides a way for the president to increase the costs of backing down in the face of congressional resistance. International organizations can help tie the president's hands, thereby dampening the prospects that obstruction by Congress will have its desired end. I will treat each of these features in turn.

Political Support

The blessing of international bodies serves to make the operation more palatable to public opinion. Opinion polls routinely show that the public is more supportive of military action when it is done multilaterally (see, for example, Sobel 1996; Kohut and Toth 1995; Kull 1996; Kull, Destler, and Ramsay 1997). There seem to be several mutually reinforcing reasons for this. First, multilateralism is a means of burden sharing and works against the image of the United States as the "world's policeman" (Kull 1996, 105). By enlisting the support of other countries, the United States can undertake an operation with fewer of its own troops and financial resources. In addition, IO involvement promises a partner to which the United States can hand off the mission at some future date. Second, the blessing of the UN and other international bodies can also enhance the legitimacy of the

operation in the eyes of internationalists who care about such things. As Abbott and Snidal (1998, 24–29) note, international organizations are seen as “community representatives” that speak for the broader interests. Their consent can serve both as a stamp of legitimacy and as a signal that the use of force will be interpreted by other countries as acceptable under community norms.

For isolationists, of course, UN sanction could act in the opposite direction: serving as a clear signal that the proposed operation should be avoided. Indeed, critics of humanitarian interventions have often played on suspicion of the UN and particularly the possibility that U.S. troops might be placed under foreign command. While this sentiment is real and at times politically potent (see, for example, Rosner 1995–96), there is no evidence to suggest that those who oppose missions due to the involvement of international organizations would otherwise support them. After all, such isolationists are likely to oppose humanitarian interventions regardless of the degree of multilateralism. I will show evidence to this effect when considering the Haiti case.

Commitment

The president can use his agenda control over foreign policy and his influence with international organizations to make commitments from which it would be costly to back down. As Fearon (1994) has argued, making public commitments to intervene can be seen by domestic actors as placing national honor and credibility on the line. Fearon argues that this audience cost effect gives state leaders a way to commit themselves to fighting, thereby increasing the credibility of their threats. Such actions as televised addresses and troop deployments can make backing down more costly and thus can tie the president’s hands. Martin (1993a) has shown that making commitments to, and working to obtain the consent of, international organizations can magnify this effect. By getting the UN and/or NATO to support a mission, the president can put the credibility of those organizations, as well as U.S. influence within them, on the line. As we will see, a major factor pushing President Clinton toward action in Bosnia was the commitment he made to NATO to send U.S. forces either to extricate NATO troops or to serve as peacekeepers in the event of a peace deal. This commitment not only weighed heavily in his decision making but also permitted him to argue that there was a national interest at stake: the preservation of NATO and U.S. leadership of the

alliance. In addition to tying the president's hands, such actions can also have an influence on members of Congress, who might be reluctant to undercut commitments made in the country's name. I will return to this issue when considering the Bosnia case.

The president can also use the blessing of international institutions as a legal and diplomatic veneer behind which to deploy troops, which is one of the most effective commitment mechanisms. As already noted, members of Congress are reluctant to be seen as undercutting troops who are already in harm's way. Every time there is talk about ending funding for a mission or imposing size or time limits, the administration marches generals up to the Hill to tell lawmakers how their actions are going to undermine morale and increase the risks of troops in the field. These arguments have tended to be quite persuasive.

The sections that follow examine three cases of U.S. intervention in the light of the model and arguments made here. Two of the cases—Haiti and Bosnia—show how working through international organizations can be part of a presidential strategy to overcome, or render impotent, congressional resistance to an operation. The third case, which looks at U.S. intervention and nonintervention in Rwanda, illustrates an alternative equilibrium outcome: one in which the president makes no strong commitments and opens the door for Congress to successfully restrain a military operation.

Haiti: Washing Hands

The intervention in Haiti is a good example of how Congress, or at least a persistent majority thereof, can wash its hands of a military venture and effectively allow the president and international organizations to call the shots. This is not to imply that Congress was silent on this matter. In the year between October 1993 and the deployment of troops in October 1994, members of the House and Senate cast fifteen votes directly related to the deployment of U.S. military forces in Haiti. The votes, and the debate surrounding them, indicated that a majority in both houses was, at a minimum, skeptical of an invasion and that many, both Republicans and Democrats, were thoroughly opposed to one. Moreover, almost all members went on record demanding that the president not go forward without congressional authorization. And yet, legislators repeatedly shied away from anything more than symbolic, nonbinding assertions of congressional prerogatives and costless position taking. Amendments

and resolutions that would have forced a showdown with the president—for example, by denying funds in the absence of congressional authorization—were consistently defeated or blocked from coming to a vote. And after the president deployed troops without honoring congressional demands to have some say in the matter, Congress choose neither to authorize nor to limit the mission in any way.

A number of factors helped Clinton mute congressional resistance in this case, not all of them a product of working through international organizations. Obtaining UN authorization and support was part of a multifaceted strategy that created an inexorable momentum toward military action starting in the spring of 1994. With the president increasingly committed to removing Haiti's military government by force if necessary, members of Congress opposed to such an operation repeatedly found that there was no good time to take strong action to block it. Prior to the deployment, when international pressure was seen as the only way to get Haiti's rulers to step aside peacefully, centrists in Congress were persuaded not to limit the president's options prospectively for fear that such an action would undermine coercive diplomacy and bring about the very outcome they hoped to avoid. After the deployment, which unexpectedly took place peacefully and without loss of life, legislators decided that both authorizing the mission and acting to limit its scope or duration had political risks due to the ongoing danger to U.S. troops. In the end, inaction was preferable.

Once Clinton switched to a more forceful stance in April and May 1994, he took a number of actions that effectively committed him to a military operation in the event that diplomacy failed. The first action was a decision, announced on May 8, to stop automatically repatriating Haitian refugees. This move, combined with a tightening of economic sanctions, restarted the influx of Haiti "boat people" to American soil and created a situation that could not be tenable for long. The administration also ordered a rapid military buildup in the Caribbean and staged a mock seizure of Haitian airfields and ports (Doherty 1994c).

The next key step was to get UN backing for the use of force, which happened on July 31 with the passage of Security Council Resolution 940. The administration put a great deal of effort into securing that resolution, reportedly smoothing Russian assent by softening its attitude toward a Russian peacekeeping effort in Georgia and Tajikistan (Malone 1998, 106–7). Administration officials described the resolution as creating "momentum" toward an invasion by lend-

ing additional credibility to U.S. threats and by insulating the president from some of the political risk due to public opposition (Drew 1994, 428; Jehl 1994). Because the UN resolution called for a multinational force, the United States worked assiduously to round up what would amount to symbolic support from other countries, including a force of 266 soldiers from four small Caribbean countries (Harding 1994).

Though public support for the mission was never impressive, it mattered a great deal to the administration to have an international blessing. The reason becomes clear when we look at the effect of multilateralism on public opinion. Figure 2 shows the level of support for U.S. military action in Haiti. The figure reports responses for all opinion polls conducted in 1994 prior to the September 18 deployment.⁷ At first glance, the responses display wide variation, ranging from 10 to 64 percent. As the figure shows, however, all four of the lowest scores came when the poll questions explicitly said that the U.S. would act unilaterally,⁸ and all but one of the top thirteen scores came when the question mentioned participation by other countries.⁹ Indeed, the only polls that showed majority support for sending U.S. troops were ones in which the operation was described as being multilateral. The polls clearly show that about 10 percent of respondents favored military action regardless of what other countries did, about 40 percent opposed it regardless of what other countries did, and 30–40 percent supported it conditional on other countries' participation. Thus, a multilateral approach meant the difference between majority opposition and plurality support.

At the same time, there is no evidence that UN involvement decreased support for the operation among some constituencies, especially Republicans. Indeed, two polls directly refute this hypothesis. A *Time/CNN* (1994) poll conducted on July 13–14 asked respondents whether they supported sending U.S. troops to Haiti with “no military assistance from any other country” and whether they supported sending troops “along with troops from other countries”.¹⁰ The beneficial effects of multilateralism are clear: Support for the mission rose from 17 percent to 51 percent when the contribution of other countries was added. The individual level data show that increased support for multilateralism did not depend upon the respondent's partisan loyalty: For both Republicans and Democrats, around 40 percent of the respondents who opposed a unilateral mission supported a multilateral one. On the other hand, only 3 percent of respondents said they would support a unilateral operation but oppose a multilateral one, a figure

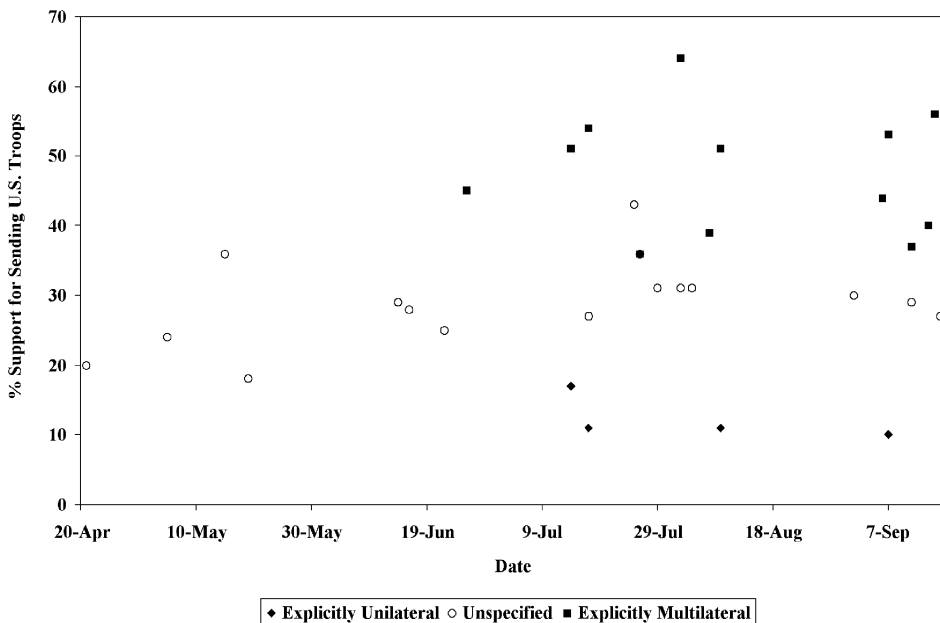


Fig. 2. Multilateralism and support for the Haiti operation, 1994

that also does not depend upon party identification. Thus, the increased support for multilateral missions that we see in the aggregate data does not seem to mask significant shifts in the other direction among more conservative constituencies.

Related evidence comes from a CBS News/New York Times (1994) poll conducted on August 2. Respondents were first asked whether they favored or opposed sending U.S. ground troops to Haiti. Those who answered “oppose” or “don’t know” were then asked to consider their position if the troops were “part of a United Nations multilateral force.” As usual, half of the respondents who initially opposed the mission said they would favor it once the UN was mentioned. Even more important, the poll permits us to test how news of the UN participation influenced those who initially had no opinion. Do those who are wavering either because of ambivalence or ignorance see UN involvement as a positive or negative signal? The answer is clear: While 44 percent of those who initially had no opinion came to support the sending of troops when told of UN involvement, only 8 percent switched to opposing it. In all, only five respondents out

of 594 initially had no opinion and then opposed the mission once the UN was mentioned. As before, while support for the mission was lower among Republican respondents than among Democrats, the rates at which these two groups switched positions at the second question were not statistically different. Hence, UN participation turned very few people against an operation, and those who did change were not exclusively Republican.

Of course, public support for the operation was never strong, but in the field of foreign policy, in particular, the president can often act in the face of majority opposition (see, for example, Graham 1994, 195–97). The counterfactual to consider here is what the constraints on the president might have been had he been unable to marshal international support and instead had to go completely alone. We have seen that a unilateral operation would have been opposed by 80–90 percent of the public, a level of resistance that would have been harder to ignore.

With the president increasingly committed to an invasion in the event that the military rulers did not step down, members of Congress shied away from taking strong action to block him. On two occasions, the Senate rejected measures that would have prohibited the use of funds to send troops to Haiti unless the operation was authorized in advance by Congress or if its purpose was confined to the protection or evacuation of U.S. citizens. An amendment to the 1994 defense appropriations sponsored by Jesse Helms (R-NC) was soundly defeated on October 21, 1993, ten days after a boat full of lightly armed U.S. and Canadian troops was prevented from landing in Haiti to implement a UN-brokered deal. The vote on the measure was 19-81, with all Democrats and a majority of Republicans voting against it. In its place, the Senate voted overwhelmingly (98-2) to support a nonbinding, “sense of Congress” amendment declaring that U.S. armed forces should not be sent to Haiti unless Congress grants prior authorization or the president submits a report in advance of the operation summarizing the national security interests at stake, the justification for using armed forces, the exit strategy, and the likely costs. This weaker alternative was sponsored by the majority and minority leaders, George Mitchell (D-ME) and Robert Dole (R-KS), after negotiations with the White House (Towell 1993b). The House did not have explicit vote on this matter, but it effectively adopted the Senate’s position when it accepted the conference report on the defense authorization bill on November 10.

In June 1994, as talk of a U.S.-led invasion increased, the Senate

went through an almost exact replay of this maneuvering. In this case, Judd Gregg (R-NH) proposed an amendment to the 1995 defense authorization that borrowed the language of the Dole-Mitchell amendment but would have given it statutory power. Once again, this amendment was defeated, 34-65, and a nonbinding version offered by the leadership passed overwhelmingly, 93-4. The debate over the Gregg amendment revealed the cross-pressures that members of Congress can feel. Many Democrats have traditionally supported the War Powers Act and the effort to limit presidential war-making authority. In this instance, however, Democrats were motivated to vote against the Gregg amendment because they sympathized with the overall goals of the policy and/or wanted to support their president. Republicans, on the other hand, were generally opposed to the specific mission and were happy for an opportunity to embarrass Clinton, but many were also long-standing defenders of presidential prerogatives in such matters. Sen. John McCain (R-AZ), for example, said, "I cannot support any resolution which prospectively limits the power of the president as commander in chief" (Doherty 1994b, 1814). Lindsay (1995, 81) suggests that the increased support for the Gregg amendment as compared to the Helms amendment shows growing assertiveness by Congress as events progressed. However, it is important to note that Gregg's version, by adopting the language of the Dole-Mitchell amendment, was less restrictive than Helms's, since it gave the president the option of submitting a report rather than seeking congressional authorization. Gregg admitted as much in trying to convince skeptical colleagues to vote for his amendment, noting that it provided "a lot of flexibility for the president" (Doherty 1994b, 1814). It is clear that the more binding and more restrictive a proposal was, the less support it received in the Senate.

In this period, the House also failed to send a strong, or even consistent, message on the prospective invasion. On May 24, 1993, it voted 223-201 for a nonbinding resolution calling on the president not to invade Haiti without first certifying to Congress that "a clear and present danger to citizens of the United States or United States interests requires such action." Two weeks later, however, the exact same measure was defeated, 195-226, when thirty Democrats who had previously supported it changed their votes. The reason for the turnabout is unclear, but it followed a strong push by the administration to garner support for its policies (Greenhouse 1994, 3). At least one Florida congressman changed his vote after being convinced by Sen. Bob Graham of Florida, a strong supporter of intervention (Feldmann 1994, 3).

It is also noteworthy that, on June 4, Aristide suggested for the first time that he might support a “surgical action” led by the United States (Murphy 1996, 267).

The pace of congressional activity picked up after the UN Security Council adopted Resolution 940. Passed at the request of the United States, this resolution signaled that a military operation was quite likely unless Haiti’s military rulers stepped down. Despite this clear indication, however, majorities in Congress continued to exhibit a preference for symbolic acts over costly ones that would have asserted institutional rights. On August 3, the Senate voted unanimously (100-0) to endorse a resolution offered by Dole asserting that UN approval “does not constitute authorization for the deployment of U.S. Armed Forces in Haiti under the Constitution of the United States or pursuant to the War Powers Resolution” (*Cong. Rec.* 1994, S10415). At a news conference the same day, Clinton said he agreed that UN approval was not the same as congressional approval, but he then went on to argue that the latter was unnecessary: “I would welcome the support of the Congress, and I hope that I will have that. Like my predecessors of both parties, I have not agreed that I was constitutionally mandated to get it” (Clinton 1994). Despite this rebuff, two days later the Senate tabled an amendment by Arlen Specter (R-PA) that reiterated Congress’s constitutional authority to make war and would have prohibited Clinton from using armed forces in Haiti without prior approval by Congress. The 63-31 vote to table, and thereby effectively kill, Specter’s amendment followed party lines, but one-third of Republicans voted with the majority.

By mid-September, it was clear that an invasion was imminent. In the days prior to the sending of the Carter delegation, opponents of the policy in both chambers attempted, and failed, to force a vote on the matter. An effort by McCain in the Senate to introduce an amendment opposing an invasion was blocked by Majority Leader Mitchell’s parliamentary maneuvering (Doherty 1994d, 2578). In the House, David Skaggs (R-CO) drafted a nonbinding, concurrent resolution declaring that the president was required to get congressional authorization before deploying troops. Similarly, Reps. Gene Taylor (D-MS) and Christopher Cox (R-CA) tried to force an up-or-down vote by invoking parliamentary rules that allow members to bring a “privileged motion” to “protect the rights of this House collectively” (*Cong. Rec.* 1994, H9117). The Skaggs resolution never came to a vote, and while the Taylor-Cox effort could have forced a vote by September 19, it became moot when Haiti’s leaders agreed on September 18 to step

down, thus paving the way for a peaceful deployment the following day (Doherty 1994d, 2578).

While a number of factors played into this sequence of events, legislators hesitated in part because it was becoming increasingly clear that the president was resolved to move ahead with or without congressional support—a point that administration officials made quite explicitly (see, for example, Doherty 1994d). Given the president's domestic and international commitments, centrists who held the decisive votes on these measures clearly saw a political downside in voting to restrict such an invasion in advance. After all, an invasion would not be necessary if Haitian leaders were sufficiently convinced that it would happen. Thus, the president's allies warned that opponents' efforts to constrain the president might encourage the very outcome the latter were seeking to prevent. The clearest example of this came in July, when Dole proposed an amendment calling for a bipartisan commission on Haiti that was widely seen as an effort to slow the momentum toward an invasion. Dole was quickly put on the defensive, however, when Haiti's military leader, Lt. Gen. Raoul Cedras, endorsed the idea in a television interview. In the debate on the measure, Democrats harped on Cedras's comments and argued that congressional efforts to tie the president's hands would only encourage the junta to resist (for example, *Cong. Rec.* 1994, S8947). These arguments seem to have prevailed: While a majority of senators were against a military operation, they voted 57-42 to kill the proposal (Doherty 1994c). Such arguments were raised repeatedly by the president's allies in the debates leading up to the deployment. The politics of blame avoidance dictated that all but the fiercest opponents of the mission should avoid acts that were seen as undermining the president's diplomacy and thereby increasing the danger that troops would have to be sent.

A similar pattern continued after troops were deployed, as members of Congress continued to be reluctant to take all but the most symbolic steps to assert control over the policy. The main issue that arose in the wake of the deployment was whether Congress would authorize the president's actions in accordance with the War Powers Act and/or place a time limit on the mission. In the end, it did neither. Instead, the House and Senate passed identical measures (SJRes 229 and HJRes 416) stating that "the president should have sought and welcomed" congressional support before sending the troops and requiring him to make reports on the cost, scope, and projected timetable of the operation. The resolutions called for a "prompt and orderly with-

drawal” of troops but otherwise placed no time limit on their presence in Haiti (Doherty 1994g, 2895). This measure passed the Senate by an overwhelming majority, 91-8. It passed the House by a somewhat less impressive margin, 258-167. The House had also considered and rejected two alternative measures. The Republican version, proposed by Minority Leader Robert Michel (R-IL) and Benjamin Gilman (R-NY), criticized Clinton for sending troops, called for a pullout “as soon as possible in a manner consistent with the safety of those forces,” and provided for an up-or-down vote in January on whether to continue the mission. That version was defeated 205-225. The second alternative, proposed by Robert Torricelli (D-NJ), provided limited authorization for the deployment until March 1, 1995, and left open the possibility of extending the authorization indefinitely. This too was rejected, 27-398. Thus, the majority of the House chose neither to authorize the mission, even temporarily, nor to shut it down, preferring instead to leave control over policy in the hands of the president and the UN. Sen. Robert Byrd (D-WV) characterized the outcome as a “shrug of the shoulders in terms of any real assertion of the constitutional role of Congress” (Doherty 1994g, 2895).

Again, the strategy of blame avoidance accounts for this outcome, as members were hesitant to take action that could be seen as jeopardizing troops (Doherty 1994e, 1994f, 1994g). The president’s ability to set the agenda by putting troops in harm’s way made it difficult to oppose the mission once it was under way. As McCain, an ardent opponent of the mission prior to deployment, suggested, “Suppose you set a deadline of, say, Feb. 1. If something goes wrong Jan. 15—if there is some act of violence—the president could turn to Republicans and say it’s their fault” (Doherty 1994f, 2816). The problem was magnified by good early results: The troops had gone in without loss of life, and the military dictators were on their way out. Given that congressional elections were only a month away, that positive signal in the short term not only increased the uncertainty but also had some political significance. Doherty (1994g, 2895) captures this dilemma well: “[W]ith midterm elections just a month away, most members simply did not want to vote for or against a mission that, for all its potential risk, has been largely successful.”

Bosnia: Tying Hands

The 1995 deployment of U.S. peacekeeping troops to Bosnia is a particularly important episode because, unlike the Haiti invasion, it

occurred during a period of Republican control of both chambers. Smith (1998) finds that party is a strong predictor of legislative voting on post-Cold War military operations: Those from the same party as the president tend to vote for his policies while those from the rival party tend to vote against them. This is evident from the previous case in the large number of party line votes and the efforts of the Democratic leadership to block early votes on the Haiti operation. The Bosnia case permits us to explore whether the lack of congressional assertion in that case was simply a product of the partisan composition of the legislature. As we will see, though, the outcome over Bosnia in 1995 looks a good deal like the outcome over Haiti in 1994. This similarity comes in spite of the fact that Republicans took office determined to reign in the UN and to assert congressional control over peacekeeping operations (about which I will say more later). The overall pattern thus suggests that the constraints on congressional action derive from the structure of the problem that legislators face rather than from the particular configuration of preferences at a given time.

As in the case of Haiti, a driving force behind events in the United States concerning Bosnia was the public and international commitments made by Clinton during the early days of his presidency. The so-called lift and strike proposal that Clinton offered shortly after coming into office included a commitment that twenty thousand U.S. troops would participate in a NATO mission to police any peace agreement or, if it became necessary, to evacuate UN peacekeepers from the country. While Clinton was not eager to see U.S. troops sent to Bosnia, the commitment was seen as important to help address European complaints that the United States was not willing to put its own soldiers at risk (for good discussions of Clinton's Bosnia policy, see Gow 1997; Drew 1994; Gompert 1996). Not long after the commitment was made, Clinton abandoned lift and strike, and the prospects for a peace deal, which had briefly seemed imminent, fell by the wayside. Nevertheless, the commitment came back to haunt Clinton two years later, when Serb advances threatened to make the UN situation in Bosnia untenable. With Britain and France threatening to pull their troops out of the country, the United States was faced with the prospect of having to deploy U.S. troops in a dangerous mission to help their evacuation—or to break its earlier commitment. Given that neither option was considered acceptable, the United States instead pushed for a sustained NATO bombing campaign in August 1995 and started the diplomatic process that led to the Dayton peace talks (Gow 1997, 276–77).

Prior to this point, legislative activity on Bosnia had focused primarily on the question of lifting the arms embargo and not on the use of force by the United States. The relative quiet on this matter persisted in spite of the fact that U.S. planes were patrolling a UN-approved no-fly zone and engaged in air strikes to protect so-called safe havens on several occasions in 1994 and 1995. Although these actions clearly placed U.S. troops in hostile situations, neither Congress nor the president showed any interest in invoking the War Powers Resolution (Doherty 1994h; Hendrickson 1998, 248). The closest Congress came to doing so came in a measure introduced by Mitchell in May 1994 that gave retroactive authorization and approval to air strikes conducted in February and April of that year. The measure barely passed, 50-49, but most of the interest in it centered on its provisions regarding the arms embargo, as the Mitchell amendment was an administration-sponsored alternative to Dole's effort to unilaterally lift the embargo (Doherty 1994a, 1233). In any event, the underlying bill was never considered in the House.

The situation changed in October 1995, when a cease-fire and the prospect of peace talks signaled that the U.S. might have to make good on Clinton's commitment to contribute ground troops to a peace-keeping operation. In a major policy address, Clinton announced that he was determined not to break his word to NATO. He added that he would "want and welcome" congressional support for the mission, but he only promised consultations (Doherty 1995, 3158). Republicans, on the other hand, declared that the president would have to seek congressional authorization before the deployment, just as Bush had done before the Gulf War. "What we'll be seeking is a formal request for authorization from the president and a full-scale debate," said McCain, adding (in a statement that shows a stunning lack of foresight as well as ignorance of history), "It would be foolish of the president not to do that because they know we have too many ways to block it" (Doherty 1995, 3158). As it turns out, the president did not ask for preauthorization for the mission and Congress was unwilling to block it.

As in the case of Haiti, strong preemptive action on the part of Congress carried political risks. With peace negotiations under way at Dayton, a move to prevent U.S. troops from being sent to enforce any eventual agreement could have scuttled the entire process. If the United States refused to go, the logic went, NATO too would balk, and there would be no effective military presence to implement the peace. The administration and its congressional allies argued that if

Congress voted against sending peacekeepers the move would undermine the negotiations. Thus, when the House met on October 30, two days before peace talks started at Dayton, GOP leaders helped to turn aside an effort by conservatives to prospectively cut off funds for a peacekeeping operation. Instead, the House passed a nonbinding resolution warning the participants at Dayton not to count on U.S. troops in a peacekeeping mission and opposing any deployment without prior congressional authorization (Towell 1995a). Evidence from this episode suggests that House members feared being confronted with a *fait accompli* and thus hoped to get on the record as soon as possible. Indeed, HR 247 was brought up in expedited fashion, and only forty minutes were allocated to debate it. Representative Cox explained that urgency was required in light of the fact that an agreement could be reached at any time and a deployment would begin shortly thereafter: "It is important that we act tonight. Else we will abdicate" (*Cong. Rec.* 1995, H11400). In reality, of course, the measure was only a nonbinding sense of Congress resolution that did not come out for or against a deployment but merely stated the House's desire to have some say in the matter. As is typically the case with such resolutions, it passed overwhelmingly, 315-103.

Nevertheless, staunch opponents in the House chose not to wait long. On November 17, House members voted 243-171 for a bill that would have denied funds for the mission unless it was approved in advance by Congress. Democrats argued that the timing was poor, given that the peace talks at Dayton were nearing a successful conclusion, but the sponsor of the bill, Joel Hefley (R-CO), argued that immediate action was necessary because of the hand-tying effect: "The farther along we go down the road, the more difficult it will be to say no if we decide to say no" (Towell and Cassata 1995a, 3549). Without Senate concurrence, however, this move had no chance of becoming law, and the Senate had little appetite for the measure. Indeed, the Senate waited almost a month before considering the Hefley measure. William Cohen (R-ME), a moderate Republican, conceded that the hesitation was a product of blame avoidance:

[W]e should be very candid about it, if we had taken so-called preemptive action to assert our constitutional authority, our control over the purse strings, saying, "No funds appropriated under this account may be expected for the deployment of ground forces in Bosnia," and the negotiations then failed, Congress did

not want to accept the blame for it. So we backed away and we waited. (*Cong. Rec.* 1995, S18428)

By the time the measure did come to vote in the Senate, a peace deal had been struck, the first contingents of U.S. troops were en route to help implement it, and the effort to block the mission quickly died. As Dole noted on November 30, "It is time for a reality check in Congress. If we would try to cut off funds, we would harm the men and women in the military who have already begun to arrive in Bosnia" (Towell 1995c, 3668). In the Senate, Hefley's bill was soundly defeated 22-77. In the House, the same language was reintroduced by Robert Dornan (R-CA). This time the bill was defeated 210-218, as forty-seven members switched from support to opposition; only nine members switched in the opposite direction.

Clinton kept his earlier promise of asking for congressional support, but there was a strong sense that Congress had little choice but to go along. After agreeing that a fund cutoff was undesirable, both chambers took a series of votes on whether to support the mission and/or the troops. The House, with its stronger conservative contingent, came out more forcefully than did the Senate, though it still fell far short of any real assertion of congressional authority. The House passed 287-141 a resolution supporting the troops but explicitly opposing Clinton's policy. The House measure (HRes 302) pointed out that the president's deployment decision came in spite of two attempts—HRes 247 and the Hefley bill—to secure prior congressional approval. Nevertheless, unlike similar amendments in the Haiti case, the measure did not call for a withdrawal or even require the president to make reports on the mission. A measure offered by Democrats that simply declared support for the troops without commenting on the policy was rejected 190-237.

In the Senate, the outcome was reversed, thanks in large part to Dole, who apparently had an eye toward his presidential run (Hendrickson 1998, 254). Dole helped to craft a bipartisan measure supporting the troops and permitting the president to fulfill his commitment for approximately one year. Interestingly, the measure (SJRes 44) explicitly noted that the president's decision had been taken in spite of reservations expressed by Congress but that the deployment was already under way and "preserving United States credibility is a strategic interest" (SJRes 44). The measure passed 69-30. An alternative that would have supported the troops but expressed opposition to Clinton's policy was defeated 47-52.

Tough rhetoric from the House notwithstanding, the Bosnia case did nothing to alter the institutional balance on war powers. Instead, it confirmed the president's ability to tie members' hands by forcing the pace of events, making commitments to international actors and institutions, deploying troops without authorization, and then daring Congress to take votes that could be interpreted as undercutting them. The importance of these factors is plainly evident in the debates, particularly in the Senate, over the various measures considered there. The comments of moderate Republicans, who held the decisive votes, demonstrate a strong sense that the president had used his commitment to NATO and his authority to deploy troops to railroad Congress into inaction. Cohen nicely summed up the futility of congressional resistance, given the president's commitment to proceed:

Even if the House and the Senate were to vote overwhelmingly to disapprove the sending of American troops to Bosnia, the President has already indicated they are going in any event. "It is my prerogative. It is my power. I am going to keep the commitment I made to the NATO allies. . . ."

So this entire debate on what we are going to pass in the way of a resolution has no ultimate, no practical, consequence in terms of preventing the troops from going there. (*Cong. Rec.* 1995, S18428)

Similarly, Rod Grams (R-MN), who voted to oppose the mission but not to cut off funds, complained that Clinton "has essentially dared Congress to break his ill-considered commitment of U.S. forces and thereby, he says, risk undermining the peace agreement, our international credibility and our relations with NATO allies" (*Cong. Rec.* 1995, S18451).

While rhetoric may be a poor guide of actual motivations, it also seems that many senators thought that the commitment to NATO not only tied the president's hands but their own as well. Unlike the UN, NATO is an organization that most members, on both sides of the aisle, see as vital to U.S. security. The president and his supporters argued that, even if there was no national interest at stake in Bosnia, there was such an interest in maintaining the cohesion of NATO and U.S. leadership within the alliance—an interest that would be jeopardized if Congress pulled the plug on the mission. This consideration would tend to decrease the value of successfully blocking U.S. participation and to motivate pivotal legislators to sit on their hands. Thus,

Slade Gorton (R-WA) justified his vote against cutting off funds and against opposing the mission:

[I]t remains vital to the peace not only of Europe but to the rest of the world that NATO continue and that it be credible. As a consequence, even though NATO may have, as I believe it has done, made an erroneous and unwise commitment, and even though the President of the United States may have done and has done, in my view, an unwise thing in entering into this commitment, we now must honor it. (*Cong. Rec.* 1995, S18418)

Thus, the president can help overcome opposition to an unpopular mission by tying its fate to that of a popular organization, such as NATO.

Rwanda: A Negative Case

In both of the cases just discussed, the president was strongly motivated to go ahead with the mission and managed to overcome congressional resistance to do so. Of course, this is not the only equilibrium outcome predicted by the model. As we saw, when the president has low expected value for a mission, he has incentives to avoid costly commitments, and the prospects for congressional activism are greater. To explore whether this prediction is borne out, I briefly consider the case of U.S. intervention—and nonintervention—in Rwanda during the spring and summer of 1994.

On the one hand, the U.S. decision not to intervene in the genocide and civil war in Rwanda is a trivial nonevent for the purposes of this analysis. Had the administration really wanted to intervene militarily and had its hand been stayed by the prospect of congressional resistance, then it would be an important case in which Congress exercised power through its anticipated reaction: a very potent veto lay off the equilibrium path of play. However, this is not the case. There is no evidence that the administration wanted to act to stop the genocide and was prevented from doing so. Indeed, the tragedy in Rwanda came just as the administration was putting the finishing touches on Presidential Decision Directive 25, which called for the government to cast a skeptical eye on peacekeeping operations in the wake of Somalia. At the same time, the administration was preoccupied with events in Haiti, where more compelling national interests were at stake. According to a *Washington Post* reconstruction of events in April,

“Everyone involved—the president, [National Security Advisor Anthony] Lake, Assistant Secretary of State for African Affairs George E. Moose, officials at the Pentagon’s Africa department—agreed from the beginning that Rwanda simply did not meet any test for direct U.S. military intervention” (Lippman 1994a; see also Power 2001; Prunier 1998, 274; Des Forges 1999, 623–25). Thus, while it is true that there was no appetite in Congress for intervention, that the president similarly lacked any desire to intervene makes the ultimate outcome uninteresting from our perspective.

On the other hand, other elements of this story support the model’s predictions. While the United States stood idly by during the early months of the genocide and civil war, it did send over two thousand troops to help with the delivery of humanitarian assistance, in an operation dubbed Support Hope. Most of the troops operated in Zaire, but 220 of them helped to secure the airport in the Rwandan capital, Kigali. What is interesting about this episode is that congressional action did help to bring the operation to a premature end. Consistent with the model, however, the action took place in the midst of clear signals that the administration was not committed to the operation and had no interest in pressing ahead in the face of congressional resistance.

Though Clinton sent the troops with some fanfare, declaring the disaster in Rwanda “the world’s worst humanitarian crisis in a generation,” the U.S. commitment was quite small and never lived up even to the modest expectations the administration set for it (see, for example, Lippman 1994a; Smith 1994). Moreover, while the operation helped to support a UN peacekeeping operation, administration officials took pains to emphasize that the U.S. troops were not part of the UN operation and were only there at the request of the UN High Commissioner for Refugees. To the extent that the U.S. presence was formally authorized by the UN, this was done through Security Council Resolution 929, which welcomed the assistance of member states, operating under national command and control, until the UN peacekeeping force, United Nations Assistance Mission for Rwanda (UN-AMIR), could be brought to full strength (UN Security Council 1994). The lackluster support for the mission in the executive branch was further evidenced by press reports, which started to appear in July and August, stating that the Department of Defense was unhappy with the operation and concerned about its effect on overall readiness (see, for example, Graham 1994; Lippman 1994b; Smith

1994). Indeed, from the very beginning of the crisis, the Pentagon had tried to stymie any move toward intervention (Power 2001).

The administration's weak commitment to Operation Support Hope created an easy opening for a skeptical Congress to limit its duration. On July 29, the Senate Appropriations Committee voted to cut \$100 million from the \$270 million Clinton had requested to fund the operation and stipulated that no funds could be used for operation after October 7 unless the president received congressional approval to extend the deadline. In addition, the Senate passed a measure barring any change in the nature of the mission from humanitarian assistance to peacemaking or nation building. Both provisions were agreed to by House conferees and became part of the 1995 Defense Appropriations Act (PL 103-335).

Congressional action seems to have had the desired effect in this case. The Senate Appropriations Committee action reportedly played a role in discussions within the administration and gave ammunition to Pentagon officials who wanted to see the mission curtailed (Smith 1994). While Defense Secretary William Perry originally suggested that U.S. troops could be deployed for "a year or longer" (Drogin 1994), they were in fact all removed by the October 7 deadline. The withdrawal took place even though the operation had not achieved all of the goals that had originally been set for it (see, especially, Smith 1994).

This case shows that Congress is not institutionally incapable of legislating limitations on military deployments—even those that have sustained no casualties. When the administration is weakly committed to an action, due to public skepticism and/or resistance from the Pentagon, then congressional resistance can increase the leverage of those in the executive branch who are opposed to the operation. It is possible that Clinton could have found a way to press ahead in the face of Congress's action, but clearly the costs of doing so had become larger than the benefits. At the same time, the outcome is consistent with the model's prediction that Congress is most likely to successfully block operations to which the president has few or weak public and international commitments. The administration's unwillingness to orchestrate and join a fully fledged UN operation in Rwanda was indicative of the lack of resolve that would ultimately make congressional resistance effective in this case. In addition, because the U.S. operation was separate from UNAMIR, by pulling the plug on the former, Congress was not undermining an international

effort—it was simply passing responsibility to a more appropriate authority. With the United States outside of the UN mission rather than within it, opponents of the mission, such as Senator Byrd, could argue that “burden-sharing” mandated an end to the unilateral U.S. role (see, for example, 140 *Cong. Rec.*, S10995).

Conclusion: Will They Ever Learn?

A natural question raised by this analysis is whether members of Congress have learned something over time from their repeated failure to make their opposition effective. Presumably, if members understand their dilemma, they might take steps to do something about it. And, indeed, there is some *prima facie* evidence of learning in the timing of congressional action in post-Cold War cases of armed humanitarian intervention. From Somalia to Kosovo, there is a trend toward earlier moves by Congress in an effort to act before the president has engaged in the kind of costly commitments that would render congressional resistance futile. With Somalia, authorization votes took place after troops had already been deployed—four months after in the case of the House. With Haiti, the authorization vote came the day after troops landed. With Bosnia, the House voted to deny funds for the operation about a week before the first troops were sent. As we saw, evidence from that case clearly suggests that members opposed to the mission saw virtue in having the vote before it started. Still, both House and Senate votes on authorization occurred shortly after the first troops arrived in Bosnia. In the case of Kosovo, there was congressional action even earlier. With peace talks still under way, the House ignored pleas from the administration and held a vote on March 11, 1999, on whether to authorize U.S. participation in the peacekeeping operation that would have ensued had the talks been successful. The comments of congressional leaders make it clear that they wanted to vote early to avoid having their hands tied. In defending the action, Speaker of the House J. Dennis Hastert (R-IL) explicitly referred to the lessons of the recent past: “What we have continually done over the past six or seven years is, when the president has moved troops some place, we have acquiesced, just nodded our heads and done it.” (Pomper 1999b, 621).¹¹ In the end, the House voted to authorize the peacekeeping force—a vote that became moot when Yugoslavia refused to sign a deal. The Senate never acted on the peacekeeping question, but it did vote to authorize the air strikes the night before they began.

While this pattern suggests some learning and response by members of Congress, we should be careful not to imbue it with too much meaning. After all, two other things also changed across time. First, the 1994 elections brought about a shift from unified to divided government and a general increase in conflict between the two branches. Moreover, because Republicans tend to be more skeptical of humanitarian intervention, this meant that opponents had not only greater numbers but also better control over the agenda. Whereas Democratic leaders deferred to the president's wishes to delay any vote on the Haiti operation, Republican leaders felt no such responsibility in the later cases. The second factor that changed over time was beliefs about the desirability of humanitarian operations. While the Somalia intervention was greeted with enormous optimism, all subsequent ones have taken place in the shadow of that mission's failure.

Still, there is some additional evidence of learning in failed Republican efforts to restructure the relationship between Congress, the president, and the UN. Shortly after they came into power, House Republicans brought forward the National Security Revitalization Act (HR 7) and Senator Dole proposed the Peace Powers Act (S 5). While these bills had many provisions that do not touch on the dilemmas considered here, two in particular are worth noting. First, both bills would have reaffirmed the intent of the 1945 UN Participation Act by requiring any agreement between the UN Security Council and the president on matters of international peace and security to be approved by Congress (Hendrickson 1998, 243–45). Second, both included a requirement that Congress receive prior notification before any actions are taken in the UN Security Council. The Peace Powers Act, for example, requires that

at least 15 days before any vote in the Security Council to authorize any United Nations peacekeeping activity or any other action under the Charter of the United Nations . . . which would involve the use of United States armed forces or the expenditure of United States funds, the President shall submit to the designated congressional committees a notification with respect to the proposed action.

Dole, touting the measure in a *New York Times* editorial on January 24, 1994, argued that this provision was necessary to “put Congress in the loop,” making it a “full partner in financing and deployment decisions, not an afterthought.” Clearly, Republicans sought to reverse the

pattern by which the president and the UN moved first and then dared the Congress to overturn it. HR 7 passed in the House 241-181, with virtually all Republicans voting in favor of it; neither the House bill nor the Peace Powers Act made any progress in the Senate, however. Hendrickson (1998, 246) suggests that Republicans were reluctant to go forward without a veto-proof majority and were concerned that the failure of Dole's initiative would only embarrass him in the lead-up to his presidential run. Thus, while congressional opponents of humanitarian intervention clearly understand the dilemma they have faced, the domestic institutional structure—in this case, the presidential veto—has worked against implementing an effective response.

One final conclusion emerges from this analysis. The manner in which domestic institutions react to challenges from international institutions depends upon preexisting arrangements within the country and, at a deeper level, the interests that undergird those arrangements. This can be seen by noting one area in which Congress was more successful in obstructing the UN: the issue of dues. By 1999, the United States had accumulated roughly \$1 billion in unpaid debts to the international body, due primarily to congressional obstacles. Conservative critics of the UN sought to withhold funds in order to force reforms, and antiabortion legislators used the funding issue as a way to block U.S. assistance to overseas family planning organizations. Thanks to a compromise struck in November 1999, the United States agreed to start repaying these debts, but the payments were made contingent on the UN's accepting a number of reforms. These included reducing the United States' share of the regular UN budget from 25 to 20 percent and cutting its share of the peacekeeping budget from 31 to 25 percent (Pomper 1999c). Thus, Congress has challenged the UN through one policy instrument—power over the purse—that clearly falls within its domain, that it has all the incentive in the world to retain, and whose negative effects on policy outcomes are less direct and dramatic. Meanwhile, Congress has been unwilling to fight with a policy instrument over which jurisdictional issues are blurred (at least *de facto*) and that is seen as too risky to employ—war powers. It thus appears that, when faced with challenges from international institutions, actors within domestic institutions pick their battles carefully.

Appendix

This appendix presents the formal solution to the model discussed in the text. First consider the president's move at his final node. If Congress

blocked the president, then he goes forward if $v > c - \delta a$, where δ equals one if the president made a commitment and zero otherwise. If Congress did not block the president, then he goes forward if $v > -\delta a$. We now conjecture that the president's equilibrium strategy takes the following form: The president makes a commitment and goes forward regardless of what Congress does if $v > c - a$; the president makes a commitment and goes forward only when not resisted if $c - a > v > v^* \geq 0$, where the cutpoint v^* remains to be derived; the president does not make a commitment if $v < v^*$ and then goes forward only if Congress does not resist him and $v > 0$. Notice that no president for which $v < 0$ would ever want to make a commitment, because the best payoff from doing so is less than the payoff of zero that can always be assured by not making a commitment.

Let q^C denote the legislator's posterior belief that the president will go forward in the face of resistance, given that he has made a commitment, and let q^N be the corresponding beliefs, given that the president has not made a commitment. If, as posited, $v^* < c$, then the legislator knows that resistance will work when the president has not made a commitment. Thus, $q^N = 0$, and by equation (2), the legislator always prefers to resist as long as $x > 0$. If the president does make a commitment, then q^C is derived as in equation (1), with $v^{**} = c - a$, and the legislator resists only if equation (2) holds.

Given these strategies, the president knows that Congress will resist him if he makes no commitment. Because all types that do not make the commitment in equilibrium also prefer not to go forward if resisted, the payoff from not making the commitment is zero. If he does make a commitment, then he expects to be blocked with probability

$$\Pr(x > q^C b) = 1 - G(q^C b) \equiv s. \tag{3}$$

For the cutpoint at v^* to be in equilibrium, it must be the case that a president of that type is indifferent between making the commitment and not making it. Because a president of this type will not go forward if resisted, this condition is met when

$$s(-a) + (1 - s)v^* = 0, \quad \text{or} \quad s = \frac{v^*}{v^* + a}. \tag{4}$$

In equilibrium, then, the value of s from (4) must equal the value defined in (3). Thus,

$$G \left[\frac{1 - F(c - a)}{1 - F(v^*)} b \right] = \frac{a}{v^* + a}. \tag{5}$$

While this expression does not permit a closed-form solution for v^* , we can guarantee that a unique solution does exist and that it satisfies $0 \leq v^* \leq c - a$ as long as $G(b) > (a/c)$.

If this last condition is not met, then the equilibrium takes a slightly different form. Let v^{**} denote a cutpoint in the range $[c - a, c]$ such that the president makes a commitment and goes forward if $v > v^{**}$ and does not make a commitment and does not go forward in the face of resistance otherwise. Thus, in this equilibrium, all types that make a commitment will go forward regardless of what Congress does. Given this, $q^C = 1$, and the legislator only resists in the face of a presidential commitment only if $x > b$, which happens with probability $1 - G(b)$. A president of type v^{**} must be indifferent between making a commitment and not making a commitment, which has a certain payoff of zero. Thus,

$$(v^{**} - c)[1 - G(b)] + v^{**}G(b) = 0, \quad \text{or} \quad v^{**} = c[1 - G(b)]. \quad (6)$$

Notice that $0 \leq v^{**} \leq c$, as posited. Moreover, $v^{**} \geq c - a$ as long as $G(b) \leq (a/c)$.

The two comparative-static predictions discussed in the text are easily derived. First, notice that the probability of resistance given to a commitment is always lower in the second equilibrium, $1 - G(b)$, than in the first, $1 - G(q^C b)$. Thus, increasing the audience costs from a to a' leads to a decrease in the probability of resistance as long as $a' > G(b)c > a$. Notice, however, that the probability of resistance need not be decreasing in a in the first equilibrium because the derivative of v^* with respect to a , implied by (5), is indeterminate. Next, consider what happens if the president's value for the operation increases from v to $v + z$, holding the distribution of v constant. Applying the implicit function theorem to (5) shows that v^* is decreasing in z as long as

$$\frac{f(c - a - z)}{1 - F(c - a - z)} > \frac{f(v^* - z)}{1 - F(v^* - z)}, \quad (7)$$

which is ensured by the fact that $v^* < c - a$ and the assumption that F has a monotone hazard rate. Since v^* is decreasing in z , the probability of resistance, given in (4), is as well. In the second equilibrium, the probability of resistance does not depend on z .

Notes

1. Some individual events from the CRS list have been consolidated into the broader missions of which they were a part. Missions limited to the evacuation of U.S. citizens, embassy security, or drug suppression are omitted, as are several incidents in which military forces on routine missions responded to attacks.

2. I am grateful to an anonymous reviewer for pointing out this very important distinction.

3. For evaluations of the effect of the War Powers Act, see Fisher and Adler 1998 and Auerswald and Cowhey 1997.

4. Such a strategy is appropriate if one can think of legislators as being arrayed on a single dimension, in which case it is the preferences of the median that determine the action of the whole. To determine whether such an assumption is warranted in this context, I used Poole-Rosenthal NOMINATE scores, which locate all members of Congress on a left-right dimension using all of their roll call votes (Poole and Rosenthal 1997). The algorithm also estimates a cutpoint for each vote—that is, the point in the left-right dimension that best separates those who voted for the measure from those who voted against it. If a vote on a given measure is primarily driven by a single dimension, then the cutpoint in this dimension should do a good job of predicting which way any given legislator voted. If, on the other hand, the cleavages on a measure cut across the left-right dimension, then a cutpoint in this dimension will do a poor job of predicting actual votes. An analysis of all the votes taken on the Haiti and Bosnia mission confirms that a legislator's left-right position is an excellent predictor of her or his vote. For example, for the nine House roll calls on Haiti, the estimated cutpoints on the left-right dimension correctly predict an average of 90 percent of the votes; for the seven House roll calls on Bosnia, they correctly predict an average of 89 percent of the votes. The comparable figure for all House roll calls in the 103rd and 104th Congresses is 88 percent. Similar figures hold for the Senate. I am grateful to Keith Poole for sharing these data with me.

5. For the purposes of this analysis, it does not matter whether these costs derive primarily from domestic audiences (Fearon 1994) or international audiences (Sartori 2002).

6. The only restriction we impose on these distributions is that both have positive density over their whole support. Moreover, we assume that F has a monotone hazard rate, a characteristic of many common distributions (see, e.g., Fudenberg and Tirole 1991, 267).

7. The source for these data is Public Opinion Online. Except for the matter of other countries' participation, the wording of the questions in these polls was broadly similar. All ask about support for U.S. military action to restore the democratically elected government of Haiti.

8. Specifically, these questions included the phrases “no military assistance from other countries” and “regardless of whether other countries participate.”

9. Specifically, these questions included the phrases “as part of a United Nations-sponsored multinational invasion force,” “along with troops from other countries,” “part of a United Nations multinational force,” “if other countries participate,” “along with other countries,” or “the United States and its allies.” In cases in which the question was asked so that respondents could either support unilateral or multilateral action, two data points are shown, one reporting the percentage supporting the former and one reporting the sum of support across both options. This reflects the assumption that,

if the poll had forced respondents to choose between multilateral action and nothing, those who supported unilateral action in the actual poll would have favored the former.

10. The order in which the questions were asked was randomized.

11. See also Pomper 1999b; Eilperin and Dewar 1999; and Mitchell 1999.