

**Minding the Commitment Gap:
Alliance Reassurance and the Image of the Imperial Presidency¹**

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Recent work in the alliance politics literature has highlighted various strategies of reassurance. We argue that this extensive literature overlooks a critical element in American reassurance of its allies: perceptions of an American presidency willing and able to act unilaterally. Specifically, while allies seek for the American commitment to be automatic, each U.S. defense pact contains a procedural clause conditioning the American commitment on its “constitutional processes”, which creates a “commitment gap.” Allies are highly sensitive to this disparity, pressuring the American executive branch to bridge the gap through means such as broad assertions of presidential power, demonstrative unilateral uses of force, and tripwire deployments that constitutionally facilitate unilateral action. The article illustrates the logic of the theory through case studies of American alliances with NATO, South Korea, the Philippines, and Thailand. It concludes by considering implications for the efficacy of tripwire deployments and broader debates over American grand strategy.

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If it were known or believed abroad that...[the USSR] could obliterate London and Paris by atomic bombs and that we would not do anything until Congress...had been assembled and had debated and adopted a declaration of war...our alliances would crumble overnight.

—John Foster Dulles²

Introduction:

Issues of alliance reassurance have once again moved to the fore of policy discussions as Russian, North Korean, and Chinese aggression—combined with the dawn of a new nuclear era—have all provoked questions in Eastern Europe and East Asia about the reliability of American defense commitments.³ Scholars have also been returning to questions regarding alliance credibility, including the efficacy of different “strategies of reassurance” (Blankenship 2020; Blankenship and Lin-Greenberg 2022; Lee 2021; Sukin and Lanoszka 2024).

These developments in international politics and scholarship have coincided with important developments in American domestic politics. President Trump’s expressed skepticism towards alliances has shaken treaty partners’ faith in American commitments, and it has led bipartisan majorities in Congress to undertake several measures since 2017 to express congressional support for American allies.⁴ For example, lawmakers took the unprecedented step in 2023 of legislatively barring a president from withdrawing from NATO without Congress’s approval.⁵ Simultaneously, calls to restrain presidential war powers have grown louder,⁶ building on widespread American concerns, especially during and after Trump’s first term, of a purportedly unconstrained American executive when it comes to military intervention.⁷ Recent events seemingly suggest allies, like many Americans, would recoil at an unconstrained imperial presidency. Some of the strongest policy proponents of deep alliance relationships also advocate for tighter legal constraints on the president’s power to use military force.⁸

These two issues—alliance reassurance and checks on presidential war powers—are almost never considered together. Vast legal scholarship on war powers rarely gives attention to alliances,

² John Foster Dulles, Secy of State, Memorandum, to Herman Phleger, Legal Adviser. Apr. 18, 1954. 2 p. TOP SECRET. Declassified Dec. 10, 1981. Eisenhower Library, John Foster Dulles, Papers, 1952-59, White House Memoranda Series, Box 1, White House Correspondence, 1954 (3).

³ For works examining the role of alliances in American grand strategy, see, e.g., Rapp-Hooper (2020); Blankenship (2023); Gavin (2020); Gholz, Press, and Sapolsky (1997); Posen (2015). For recent work emphasizing the difficulty in reassuring allies, see Blankenship and Lin-Greenberg (2022); Musgrave and Ward (2023); Sukin and Lanoszka (2024).

⁴ Friedman (2024), pg. 116.

⁵ Anderson (2024).

⁶ See, for example, Bauer and Goldsmith (2020); Pomper and Bridgeman (2022), or Ingber (2024).

⁷ The canonical treatment is Arthur Schlesinger, Jr.’s *The Imperial Presidency* (1973). See also, for example, Burns (2019), Ely (1995), Fisher (2013), Griffin (2013), and Kreps (2019).

⁸ See, e.g., Beckley (2015), Anderson (2024), or Binder, Goldgeier, and Saunders (2024).

and when it does, it rarely considers the strategic implications of different allocations of these powers. Scholars of alliance politics, on the other hand, tend to hand-wave past constitutional questions, including how allies or other foreign audiences perceive internal U.S. constitutional constraints.

Consistent with existing scholarship arguing that veto-players in democracies enhance the credibility of commitments,⁹ one might expect that a stronger role for Congress in authorizing the use of force would increase American alliance credibility. For example, constraints on the president's war-making powers might lead to greater policy continuity, lessen the risk of misadventures, and ensure broad domestic support for interventions. From this work, it might be thought to follow that stricter constitutional or statutory limits on presidential uses of force would be welcomed by allies.

We argue, however, that the credibility of American alliance guarantees fundamentally depends on perceptions of a president ready and able to use military force unilaterally in fulfillment of them—contrary to the way that critics of an imperial presidency interpret the Constitution. In this sense, allies deeply rely on a president pushing the bounds of presidential power. In contrast to arguments found in the literature suggesting that domestic constraints enhance alliance credibility, our argument implies that American allies heavily depend on the American president to do something often regarded as *undemocratic*.¹⁰

We introduce an original theory of congressional-executive relations in alliance formation and management. We argue the president and lawmakers—regardless of their own personal beliefs or foreign policy ideologies—face different institutional incentives in the formation and honoring of alliance obligations. Presidents have direct control over the military, but have great difficulty in avoiding blame in use of force decisions. Lawmakers, in contrast, lack control over the armed forces but possess a notable capacity to avoid responsibility. These contrasting attributes yield contrasting behaviors: while presidents will seek to create “automatic” commitments for purposes of deterrence and alliance reassurance, lawmakers resist “pre-committing” to decisions about force. At the stage of alliance formation, this leads lawmakers to include procedural conditions—like clauses about “constitutional processes”—in the texts of defense treaties, whereas at the stage of alliance implementation, lawmakers seek to avoid responsibility for authorizing war.¹¹ Concerns over this lack of automaticity in the American commitment (that is, a U.S. military response that will be both *certain* and *immediate*) unsettles allies. In short, an irreducible dilemma exists: allies seek commitment, but commitment is precisely what Congress has sought to avoid. We characterize this as a “commitment gap.”¹² In turn, this pressures presidents to create an image of an imperial

⁹ Digiuseppe and Poast (2018); Leeds, Mattes, and Vogel (2009); Mattes (2012).

¹⁰ We focus on the power to make war, not the power to terminate a treaty. Clearly, allies would prefer presidents to be constrained from unilaterally terminating alliance commitments.

¹¹ While presidents squarely face audience or reputational costs for failing to fulfill an obligation, individual members of Congress—given their great number and lack of direct control of the military—do not internalize these costs to nearly the same extent the executive does.

¹² It is, of course, already well-recognized in the alliance politics literature that treaties of alliance often contain loopholes, conditions, or limited commitments. For the purpose of communicating our argument, we introduce the term “commitment gap,” but fully recognize the idea is not fully novel. However, while it is well-recognized that states have

presidency ready to act unilaterally in allies' defense. Whereas allies might welcome some curbs on presidential imperialism—the president's power to withdraw from treaties, most obviously—we argue that when it comes to the most contentious constitutional power of all—the power to make war—the opposite is true: effective alliance reassurance requires allied perceptions of a presidency willing and able to use force unilaterally.

This article proceeds as follows. We first review the relevant legal framework for American alliance relationships and the existing literature on alliance credibility, with a particular focus on treaty conditions and the question of reassurance. We argue that the existing literature has not recognized key differences between *substantive* and *procedural* conditions in alliance treaties. We contend they have different origins and implications, and the latter create the “commitment gap” in the eyes of alliance counter-parties. We further argue that allies are highly sensitive to this gap, specifically pressuring the executive branch to “bridge the gap” in ways that credibly convey an ability and willingness to act unilaterally¹³—including broad assertions of presidential power, demonstrative unilateral uses of force, and tripwire deployments intended to relieve constitutional constraints on military intervention without congressional authorization.

We demonstrate the logic of the theory through case studies of American alliances¹⁴ in two periods: first, in the period of alliance formation in the late 1940s and 1950s, and, second, in the late 1960s and 1970s when there were widespread calls—and then legislation—in the United States to limit the president's unilateral war powers. We contribute novel case evidence of presidential administrations consistently—across virtually all American alliances—assuring allies that they would come to allies' defense unilaterally. Additionally, we introduce new case evidence of allies' and partners' reactions to American domestic political and legal debates in the late-1960s and early-1970s over the president and Congress's respective war powers, and to legislative efforts during that period purporting to revive constitutional checks. Case studies of South Korea, the Philippines, and Thailand show that the president's perceived (in)ability to come to the aid of allies unilaterally was a key driver of alliance behavior in the late- and post-Vietnam War period.

We close by considering implications of these findings for alliance management today, including implications that an alliance-skeptic president might have for our argument and findings. Our focus on the legal questions animating the war powers-alliance relationship also highlights a distinct mechanism through which “tripwire” deployments can serve a reassuring function, despite contemporary pessimism toward tripwires.¹⁵ Concluding, we argue that a grand strategy based on

to take measures beyond ratifying mere “scraps of paper” in order to credibly commit to the defense of their allies (Blankenship 2020), we argue that insufficient scholarly attention has been paid to these particular “constitutional processes” provisions (procedural conditions) and the inordinate focus allies give them.

¹³ “Unilaterally” throughout specifically refers to action absent congressional authorization (Howell 2003). In the war powers context, this specifically means a use of force undertaken absent a declaration of war or other statutory authorization from Congress (U.S. Congress. *War Powers Resolution*, Public Law 93-148, 93rd Cong., November 7, 1973). While formal war declarations have declined precipitously since 1945 (Fazal 2012; Irajpanah and Schultz 2021), U.S. presidents still often receive statutory authorization from Congress (an “AUMF”) before entering large wars.

¹⁴ Not all U.S. security commitments are forged in formal, Senate-approved treaties, but the overwhelming majority are, and we focus on these for the purposes of our theory.

¹⁵ Blankenship and Lin-Greenberg (2022); Musgrave and Ward (2023); Reiter and Poast (2021).

reassuring democratic allies abroad requires loose democratic constraints on presidential war powers at home.

War Powers and Alliance Powers: the Legal Landscape

This article joins other recent work bridging the intellectual divide between security studies and legal scholarship (Sagan and Weiner 2021; Waxman 2014). The key constitutional question at play here is when the president can launch military interventions unilaterally, versus when formal congressional authorization is required. This is a highly contested legal question—the Supreme Court has never resolved it. The resulting ambiguity and uncertainty has direct implications for alliance reassurance.

The president is on strongest legal ground when using military force pursuant to express, formal authorization from Congress. More heavily contested is when presidents may act pursuant only to their inherent constitutional powers—i.e., unilaterally. There is little debate that a president may respond unilaterally to direct attacks on the United States or U.S. forces without waiting for congressional approval. Uses of force absent such direct attacks, however, attract far more controversy and opposition by lawmakers and the general public. *De jure*, the actual extent of the president's powers to initiate armed conflict remains intensely debated, even nearly a quarter millennium after the Constitution's drafting. *De facto*, it is well recognized that presidents of both parties—especially since World War II—have often made and exercised very broad assertions of unilateral war powers. Most (in)famously, President Truman entered the Korean War absent formal blessing from lawmakers. Precisely how far presidents are actually willing to stretch their unilateral powers is an open question, though, as is at what point will Congress push back. Presidents after Truman have, in practice, consistently sought formal authorization before undertaking major ground wars, although they have consistently used force well short of such conflicts without such approval.

The specific question of *alliance* war powers—i.e., whether a president can act without express authorization from Congress *in defense of an ally*—suffers from particular ambiguity (Rapp-Hooper and Waxman 2019). Indeed, as explained below, perhaps the most prominent debate during ratification of American defense treaties in the 1940s and 50s was precisely the question of whether constitutionally the United States could legally commit to war via international treaty absent a specific vote by Congress.

All American defense treaties deliberately paper over this controversy by including an ambiguous provision that military defense commitments will only be carried out pursuant to each state's "constitutional processes." To assuage, on the one hand, Senators who objected to delegating their power to declare war, and on the other hand, allies who feared an empty commitment, treaty negotiators inserted this compromise language. As Secretary of State Dean Acheson recalled of trying to please these two constituencies during the NATO treaty negotiations—out of which the "constitutional processes" proviso turned into the template for all future U.S. alliance treaties—it "became a contest between our allies, seeking to impale the Senate on the specific, and the senators, attempting to wriggle free," (Acheson 1969, pg. 280).

This left unresolved, however, what precisely those “constitutional processes” might be. Clearly, formal authorization from Congress would satisfy this requirement, but, as mentioned above, even many skeptics of unilateral presidential power acknowledge the president’s constitutional power to defend U.S. forces from direct threat without formal authorization from Congress. A more contested legal position is that even in the absence of authorization from Congress, and in the absence of a direct and imminent threat to American troops, a president has the constitutional power to defend an ally under attack because the mutual defense commitment essentially made such action tantamount to defending the United States.

Although congressional debates over this issue died down after ratification of post-WWII American defense pacts, disputes over the president’s legal power to use force in defense of allies (but without further authorization from Congress) were re-inflamed during the war powers debates of the Vietnam War. This eventually led to the Senate’s adoption of the non-binding 1969 National Commitments Resolution and, more famously and over President Nixon’s veto, Congress’s passage of the 1973 War Powers Resolution (WPR). The issue of alliances was one of the most contentious points in the hearings over these resolutions; the final language of the WPR expresses the view that defense treaties do not themselves provide advance congressional approval for defending allies militarily, and President Nixon warned, in unsuccessfully vetoing the law, that it would undermine the credibility of American commitments (Sullivan 1982). Notwithstanding contrary language in the WPR, presidents have continued to assert an inherent constitutional power to enforce American defense commitments on several occasions over the past five decades (Hulme and Waxman 2023).

The important takeaway here is that there is significant legal uncertainty as to whether a president may unilaterally defend an ally with military force. The effects of ambiguity and uncertainty, of course, are topics central to strategic studies, yet scholars of alliance politics have largely neglected the legal dimension. Instead, they have tended simply to assume one of two extremes: more commonly, that formal congressional approval is in practice irrelevant, or, more rarely, that Congress unquestionably would have to approve the use of force in defense of an ally. Neither of these extreme assumptions reflects legal and political reality: it is legally ambiguous whether a president could come to the defense of an ally absent approval from Congress, and while the president would *de facto* have the option of acting unilaterally, they would be undertaking substantial political (and some legal) risk by doing so (Hulme 2025). This ambiguity over what a president legally-*could* and actually-*would* do creates strategic problems that, we show, set the stage for key questions in American alliance management.

Alliances and Credibility

Political scientists and other scholars have for decades analyzed factors affecting the credibility of commitments. Most relevant to the topic at hand is work arguing that the primary function of writing alliances down is to tie a state’s hands and create costs to not responding to an attack on an ally (Fearon 1997; Morrow 2000; Schelling 1966), and related work focusing on conditions in alliances (Chiba, Johnson, and Leeds 2015). We argue, however, that the “constitutional processes” provisions found in American defense treaties are materially different

from the substantive alliance conditions focused on in existing literature. We also argue that these procedural provisions in treaty texts create a “commitment gap” that allies pressure presidents to bridge.

Treaty Design and Alliance Conditions:

While alliances are created to deter aggression—and to win a conflict should war occur—states also seek to avoid over-commitment. Scholars have long recognized downsides to firm commitments to alliance partners, including risks of entrapment (e.g., Cha 2010) and free-riding (e.g., Blankenship 2023). Snyder highlights the “alliance security dilemma” and argues that states work to alleviate concerns of abandonment and entrapment (1984, 1997). One way to address this problem is the use of conditions in the treaty. Because perceived non-compliance with international agreements can be costly from a reputational perspective (Gibler 2008), states often include explicit conditions in their agreements or otherwise agree to relationships short of true defense pacts (Chiba, Johnson, and Leeds 2015) in order to mitigate the worst entrapment risks.

For example, Chiba et al. write that “in order to avoid violation or entrapment,” when crafting treaties “leaders of democratic states may sometimes limit the depth and obligations of their alliances by making their commitments flexible and/or limited.” They may “forgo the greater deterrence offered by a firmer or broader commitment in order to avoid the potential costs associated with violating a commitment” and thus might choose consultation obligations over defense obligations or to condition defense obligations (Chiba, Johnson, and Leeds 2015). Fjelstul and Reiter highlight that conditions might limit defense obligations to cases in which an ally is attacked (rather than attacks first) or to conflict with a specific adversary (2019).

The “constitutional processes” provisos in American defense treaties,¹⁶ however, are not well explained by the existing international security literature and have, indeed, been relatively overlooked. For example, even the highly comprehensive ATOP dataset, which codes treaties for many kinds of alliance conditions—those related to specific adversaries, locations, ongoing conflict, and so on—does not code for the kind of domestic legal conditions implied by the “constitutional processes” term found in American defense treaties.¹⁷ Moreover, whereas recent work has argued that some problems cannot be solved through treaty drafting alone (Blankenship 2020), we go one step further: we suggest that the treaty design in itself—specifically the “constitutional processes” terms—creates a severe commitment problem for U.S. alliances that successive presidential administrations have had to resolve.

“Constitutional Processes”: Procedural vs. Substantive Conditions

The alliance conditions focused on by other scholars in the existing international security literature are *substantive* conditions. “Constitutional processes” provisions, in contrast, are *procedural* conditions. This is more than just splitting hairs: these procedural conditions have

¹⁶ American defense treaties are explicit defense pacts, not mere consultation agreements (Leeds et al. 2002).

¹⁷ This is not a criticism of the gold-standard ATOP dataset, but only to demonstrate that these procedural conditions have been given little focus in existing research.

different origins and implications. Their insertion is not due to the rational design of “striv[ing] to balance a desire to deter aggressors with avoiding getting dragged into unwanted wars and paying audience costs of noncompliance,” as typically assumed of treaty provisions in the literature (Fjelstul and Reiter 2019, pg. 980). While the unitary actor model explanations given by Chiba et al. (2015) and Fjelstul and Reiter (2019), for example, are compelling when applied to the substantive conditions on which they focus, “constitutional processes” conditions, by contrast, are the direct outcome of inter-branch, congressional-executive politics in the United States. Detailed accounts of the drafting of the North Atlantic Treaty, for instance, show that lawmakers—and not executive branch officers—forced these procedural provisions into the treaty text.¹⁸ Indeed, as explained further below, the executive branch and U.S. allies did not want these conditions, but were compelled to accept this compromise language as a cost of Senate ratification.¹⁹

Moreover, we argue that these procedural conditions then have special strategic implications. While the substantive conditions normally found in alliance agreements limit the scope of the agreement but preserve the credibility of the core intent of the commitment (“We commit to X but not Y”), procedural conditions risk undermining the agreement as a whole (“We commit to X, if our Congress agrees to following through with our pledge at the time”). In other words, “constitutional processes” provisions risk undercutting the American commitment in its entirety—a grave challenge for reassurance efforts.

¹⁸ Glennon (1990); Kaplan (1984); Sayle (2019).

¹⁹ The executive branch is disinclined to support procedural conditions because they effectively place control of the treaty outside the hands of the executive—giving *another* political institution (often controlled by partisan opponents of the president) the power to undermine the policy of the U.S. government. The existing literature on presidential power and unilateral action emphasizes that presidents have strong incentives to relentlessly expand their power, not to willingly give it away (e.g., Howell and Brent 2015; Moe and Howell 1999). While, as with any treaty, there are circumstances in which a president might want to avoid a commitment, this would be more easily accomplished by invoking substantive conditions (e.g., “this situation falls outside our commitment”) rather than procedural conditions (e.g., “this situation falls within the meaning of our commitment, but my hands are tied”). While invoking the former helps avoid reputational or audience costs for non-compliance (Chiba, Johnson, and Leeds 2015), invoking a procedural condition would very likely create severe reputational harm as other states would realize the U.S. government was not able to live up to its commitments due to domestic constraints.

Empirically, it has been widely observed that presidents have made increasingly large claims to power over time (Schlesinger 1973). Likewise, we see that in the original treaty negotiations it was clearly Congress, and not the executive branch, that forced these procedural conditions into the treaties (Glennon 1990), and note it is difficult to identify cases in which presidents have sought to be perceived as constrained by Congress. Lastly, we note that even if there were a situation in which the president sought to be constrained from fulfilling an alliance obligation, this would still have the same overall effect we are highlighting: perceptions of a more constrained presidency leads to less reassured allies.

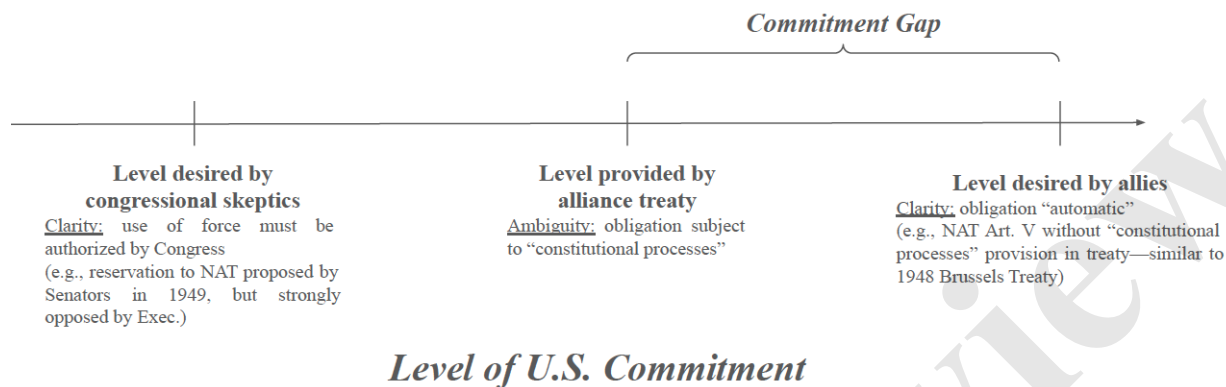


Figure 1: The “Commitment Gap”

In other words, these procedural conditions create a gap between the level of commitment desired by allies and that which is actually provided by the treaty text, as depicted in the plot in Figure 1, above. In treaty negotiations over the North Atlantic Treaty, European states sought to base the new agreement on the recent Brussels Pact, which lacked any such procedural condition and implied more automaticity (Kaplan 1984). At the same time, a small but vocal group of alliance skeptics in the Senate sought to condition the body’s consent to the treaty on a proposed reservation clarifying that any use of force in furtherance of the treaty by the United States would have to be formally authorized by a congressional vote (Glennon 1990, pg. 213). The executive branch strongly opposed this proposal, arguing that such a reservation would “not only raise doubts as to our determination in the minds of those who might be considering aggression, but would certainly raise the gravest doubts in the minds of our partners in the pact” (Glennon 1990, pg. 214). The proposed treaty reservation was overwhelmingly defeated, and in the end, the executive branch and a large majority in the Senate agreed on the intentionally ambiguous “constitutional processes” language found in American defense pacts today.²⁰ The difference between the commitment

²⁰ The usefulness of the vague “constitutional processes” language is that it allows members of Congress to have it both ways. On the one hand, by not clearly barring the use of force absent a formal vote, lawmakers avoid criticisms of undermining the deterrence or reassurance effect of the alliance commitment or unduly tying the hands of the president from immediate response in case of attack. They leave open the plausible option of the president acting unilaterally through his or her constitutional powers as commander in chief. Indeed, by allowing the president to act unilaterally, lawmakers could avoid responsibility for the intervention if the use of force ended up proceeding poorly.

At the same time, the ambiguous language is preferred to a clear, automatic commitment, because approving such a treaty de facto authorizing the use force would expose those who voted for the pact to political risk should the commitment be invoked in the future. Lawmakers who ratified such a treaty would also be subject to charges of failing to fulfill their constitutional duties. The “constitutional processes” language additionally gives legislators an outlet through which to oppose, and potentially prevent, uses of force they find unwise.

The procedural condition, indeed, provides lawmakers plausible deniability with regards to responsibility for the use of force. This was seen, for example, in hearings over the 1969 National Commitments Resolution. While the Johnson administration frequently cited the SEATO treaty as a source of legal authority for the war in Vietnam, Senators frequently asserted that this was invalid because the commitment was not automatic due to the procedural condition included in the treaty.

actually provided by the treaty (with the ambiguous “constitutional processes” language) and the automatic commitment demanded by allies is the “commitment gap” we highlight.

Automaticity: Why Allies Want an Imperial Presidency

As is already widely recognized in the alliance politics literature, allies—especially those facing acute, immediate security threats—want the American commitment to be “automatic.” We suggest that this then has rather straightforward significance for how allies view domestic debates in the United States over constitutional powers and inter-branch checks: they desire loose constitutional restraints on the president’s power to make war.

To be sure, there are plausible reasons allies may care little about the American constitutional allocation of war powers, or perhaps even prefer a more restrained American executive. First, a common response to claims that domestic politics matter to international credibility is the possibility that foreign actors simply lack information on politics (or legal debates) within the United States—and even if they have such information, it is unclear whether they actually pay it close attention.

Another possibility is that U.S. allies actually prefer legal restraints on the president. As highlighted in the introduction, there is much existing literature arguing that institutional constraints increase the credibility of alliance commitments made by democracies (Digiuoseppe and Poast 2018; Leeds, Mattes, and Vogel 2009), specifically highlighting the role of veto players (Mattes 2012). While such work has been focused primarily on the question of treaty termination, the logic could plausibly be extended to the question of making war. For instance, if presidents are inclined to undertake ill-conceived foreign interventions that drain American power and resolve, allies might desire a legislative veto player to restrain American misadventures. Henry (2022) and others have also shown that allies sometimes prefer that the United States not stand firm in other conflicts out of a fear that they themselves could get dragged into a war they have little interest in, or that the United States might otherwise get bogged down defending another ally.

Lastly, allies might actually want a congressional-approval requirement for a military response because it could lead to stronger action from the United States. While presidents can and do utilize military force unilaterally, the largest uses of force (i.e. full-scale wars) are almost always undertaken pursuant to formal authorization from Congress (Hulme 2025; Ramsey and Waxman 2023). A U.S. ally may therefore desire a requirement that Congress formally authorize the use of force in its defense in order to give the president political cover to see an intervention through.

In sum, there are several plausible reasons allies either might not care about the extent of the president’s unilateral war powers or may even prefer that a president be required to obtain formal authorization from Congress before intervening. As we will show below, however, allies have long been highly attuned to constitutional war powers debates in the United States, and they care deeply that the president not be legally barred from action without formal approval of lawmakers. The overriding reason allies strongly prefer a presidency unconstrained legally by Congress is because

they want to be reassured that an American response will be automatic. More specifically, they want to be reassured that a U.S. response will occur (*certainty*), and it will happen quickly (*immediacy*).

Certainty

First and foremost, effective alliance reassurance requires a belief by protégés that a response by the patron is near-certain. British Defense Minister Denis Healey famously reckoned in the context of Cold War Europe that it took “five percent credibility of American retaliation to deter the Russians, but ninety-five percent credibility to reassure the Europeans” (Healey 1990). Allies intuitively realize that a U.S. response is more likely when a president is unbound by strict legal constraint than when formally restrained from unilateral intervention by Congress. In other words, they see more *certainty* in an executive willing and able to act unilaterally than one risking veto from, or simple inaction by, the legislature.²¹ Notably, the addition of another veto player would only serve to make an American response less likely: even in a case where Congress strongly supported an alliance, but the president did not, the addition of Congress as a veto player would not increase the probability of American intervention.

There are, moreover, institutional reasons why allies view the executive as more reliable than Congress. First, they worry about Congress’s reputation for gridlock and inaction. Even if members of Congress wanted to defend an ally just as much as a president did, collective action problems in a group of 535 could prevent a response, especially when political polarization has increased dramatically since the end of the Cold War (Myrick 2020).

More deeply, presidents are far more incentivized to take responsibility and respond to an attack on an ally because they have direct control of the means to intervene, and, additionally, are more squarely exposed to the costs of inaction than are individual lawmakers.²² For all of the advantages presidents have in foreign policy vis-à-vis Congress (Canes-Wrone, Howell, and Lewis 2008), avoiding blame is not one of them. Presidents, by virtue of their office, cannot escape the burden of use of force decisions. Lawmakers, in contrast, face precisely the opposite problem in foreign policy: difficulty in claiming credit but an ability to avoid blame (Schultz 2003; Weaver 1986). They have no direct control of military action, and “they” are actually 535. They can, and will, “pass the buck” to each other, to past Congresses, to the executive branch, and to others.

Allies thus see the president as more predisposed to fulfill an obligation than lawmakers who are notoriously incentivized to avoid responsibility in the war powers context. Authorization

²¹ We are focused on the contents of the treaty and treaty implementation, not on the particular process utilized in treaty formation. Other work suggests obtaining congressional approval at the treaty formation stage increases the perceived credibility of the agreement (Martin 2005). Here, we are taking the presence of a formal alliance as a given, and investigating the effect of congressional involvement in treaty implementation.

²² Given that there is only one president—there is no one else to which one might “pass the buck”—and they have direct control of the military, a president directly faces the audience costs of reneging on a treaty (which is the primary commitment device served by writing down the treaty commitment in the first place (Morrow 2000)). Individual members of Congress, with responsibility diffused over 535 individuals and with no direct control of the armed forces, would not internalize these costs of defection to nearly the same extent as “the loneliest job in the world” (the presidency).

from Congress might be seen by allies as a nice-to-have, but at the end of the day they want to know that presidents are willing and able to come to their aid unilaterally.

Immediacy

Besides seeking certainty, allies oppose requiring a congressional vote before an American military response because that process takes time. It has long been recognized that the executive branch has a decisive advantage in making decisions swiftly—what Alexander Hamilton called in *Federalist* 70 “energy in the executive” allowing for “decision, activity...and dispatch.” Congress, by contrast, was designed to be slow. Allies know that whereas the executive branch can prepare to respond militarily anywhere in the world within hours (or in some cases minutes), such a response from the cumbersome legislature would take at least days, and maybe weeks or more.

Allies have consistently shown concern about this immediacy problem. Blankenship and Lin-Greenberg, for example, recently highlighted the importance for alliance reassurance of “not only having capabilities, but demonstrating the ability to use them *quickly*,” (2022, pg. 94. Emphasis added).²³ Waiting for congressional action could expose frontline states to a risk of being overrun before a response was authorized. There is the further possibility that Congress might be less willing to approve the use of force to retake territory lost than to defend an unoccupied ally at the start.

Consequently, because allies want to know that the U.S. will show up (certainty), and will show up quickly (immediacy), they prefer that the executive branch be willing to do so unilaterally. To be sure, generally a best case scenario from an ally’s perspective would be widespread domestic American support for the intervention—to include possible authorization from Congress. However, given the choice between an imperial presidency willing to act unilaterally and an American commitment that requires an affirmative vote from Congress, allies will choose the former.

Bridging the Commitment Gap

Because allies strongly desire that a U.S. response be as “automatic” as possible, the “constitutional processes” provisions found in American defense treaties creates a mismatch between the level of commitment required to satisfy allies, and that actually provided by the agreement—a “commitment gap.” It is well recognized that allies that are not sufficiently reassured will seek to achieve security through other means, including conventional military arming, the acquisition of nuclear weapons, or realignment (Blankenship 2020; Lanoszka 2018). Blankenship argues that these outside options available to American protégés are quite consequential, as they may lessen allies’ incentives to support American foreign policy initiatives, join in military conflict, host American bases, or accede to favorable economic agreements. Moreover, these allies will likewise have less incentive to deny adversaries such benefits (Blankenship 2020). American leaders will thus seek to reassure U.S. allies in order to head off these consequences.

²³ Note that “demonstrating the ability to use them quickly and effectively” is precisely what, for example, Truman and Ford were consciously trying to do in the 1950 Korean intervention and 1975 *Mayaguez* crisis, respectively (both discussed below).

Common reassurance methods used by the United States include the stationing of troops abroad, public statements, personal visits, summit diplomacy, and economic sanctions (Blankenship 2020; Sukin and Lanoszka 2024). High-level diplomatic visits, such as by the Secretary of State (Lebovic and Saunders 2016), help signal U.S. interests and priorities. Leader-specific signals, such as personal visits and statements, create “personal audience and reputational costs for leaders” (McManus 2018). Troop deployments are another tool, and can range from small tripwire forces to large contingents made to substantially alter the local balance of power, or even nuclear weapons deployments (Blankenship and Lin-Greenberg 2022; Reiter and Poast 2021; Lee 2021).

Such measures mean little, however, if when push comes to shove the president might be legally disabled from using American forces in defense of the ally. Hence, a foundational question for all U.S. allies relying on the promise of U.S. intervention is whether at the moment of truth the president can and will act. Allies’ perceptions of a legally-unconstrained presidency are thus a critical element of alliance reassurance.

There are several methods presidents use to convince allies abroad they are able and willing to use the American armed forces even absent formal approval from Congress. First, and most obviously, the executive branch might state its intention to do so. This could involve specific assurances in private or in public. More generally, this might involve very broad, public claims to presidential war powers in order to create an image of a presidency not hamstrung by Congress.²⁴ Second, demonstrative unilateral uses of force help prove the White House’s willingness to act unilaterally. Lastly, troop deployments might be utilized in such a way as to facilitate the constitutional justification of unilateral action. As noted above, whereas there is significant legal controversy over whether a president can unilaterally use American military force in defense of an ally, there is little doubt they can use force if *American* armed forces are threatened or attacked. Thus, deployments of American troops—even in modest numbers—can significantly bolster the legal case for unilateral intervention. This gives a logic to tripwire deployments distinct from existing literature: an attack on U.S. forces would not simply increase the cost of backing down in the crisis (Musgrave and Ward 2023; Schelling 1966), but would actually lower the cost of following through with the use of force (Hulme 2025; McManus 2017; Slantchev 2011).

Hence, each of these tools (statements, demonstrations, and deployments) can be used by the executive branch to reassure allies of a willingness to act even absent formal authorization from Congress.

Scope Conditions

Here, we highlight two scope conditions for our argument. First, we focus our argument on formal treaty allies of the United States. In practice, this means alliances which have secured Senate advice and consent. This would include, for example, all NATO member states, Japan, South Korea,

²⁴ Statements that face costs are not cheap talk (Fearon 1997). Promising to act unilaterally, for example, creates reputational costs that would be suffered if unfulfilled (i.e., a “tying hands” mechanism). Similarly, given that domestic American audiences largely bemoan presidential imperialism, suffering domestic disapproval by stating a willingness to act imperially could be a form of costly signalling (a “sinking costs” mechanism).

the Philippines, and Australia (Gibler 2009). This would not include, however, the U.S. relationship with Taiwan, Israel, or Ukraine.²⁵ Our focus on formal alliances is consistent with much of the existing literature on alliances and reassurance (e.g., Morrow 2000; Sukin and Lanoszka 2024).

Second—and, again, in line with much of the literature examining different “strategies of reassurance”—we are focused primarily on situations in which U.S. protégés fear abandonment more than entrapment or unnecessary escalation caused by Washington. It is possible to imagine a situation in which a relatively secure ally of the United States (say, Canada) actually has more to fear in an overly aggressive president bringing on an unwanted war than in fearing abandonment by the United States in the face of attack from an adversary. Scholars have recently pointed out that many of the canonical tools of reassurance (like troop deployments and statements) can worry allies more than reassure them (Sukin and Lanoszka 2024). It is therefore important to highlight this as a scope condition for any strategy of reassurance. Nevertheless, it is more often the case that a protégé fears attack from an adversary more than entrapment from its patron—indeed, were this not the case, it would make little sense for the protégé to be in the alliance relationship in the first place. Moreover, even while there might be specific situations in which allies bemoan presidential unilateralism, when it comes to the question of their own defense, allies consistently demand assurances for instant—which usually means unilateral—action. Indeed, even geographically secure allies such as Canada have at times expressed grave concern about the inability of the American president to act instantly without seeking congressional approval, and pressured the executive branch into finding ways to do so.²⁶

Theoretical Expectations:

The foregoing discussion suggests the following observable implications: first, allies care deeply about these “constitutional processes” provisions, the perceived constitutional war powers of the president, and whether a president can come to their aid unilaterally. We would expect to see this both at the stage of alliance formation (when parties are crafting the actual terms of agreement, and this specific question would naturally arise), as well as during the actual term of the alliance so long as the protégé perceived significant threats to its security. These allies will seek to have this “constitutional processes” language omitted from the treaty, to have Congress authorize the use of force in advance, or for the president to take actions that credibly demonstrate the ability to respond unilaterally in the event of attack. Should allies not feel reassured by the foregoing measures of the president’s ability to come to their aid, we would also expect them to attempt to make up for this lack of commitment through measures such as threatening or actually undertaking armament

²⁵ We suspect, consistent with our broader argument, that U.S. partners such as Israel and Taiwan would also dislike a strict requirement of congressional authorization before the president could act. For the purposes of focusing on alliance conditions and a commitment gap, however, we limit our main focus here to formal, written-down alliance commitments.

²⁶ In one conversation in 1951, the Canadian Ambassador made clear that “it would be most regrettable” if some “constitutional or legislative obstacle” might prevent the U.S. from acting instantly. *FRUS*, 1951, National Security Affairs; Foreign Economic Policy, Volume I, Doc. 302. Hence, even the United States’ most geographically secure ally has at points explicitly pressured the American executive branch into pushing the bounds of its power.

(including nuclear proliferation), demanding military aid from the United States, or realigning their foreign policy.

Second, we would expect to see that presidents and close advisers are consciously aware of this gap, and that they perceive strong pressure from allies to address it. More specifically, we would expect to see the executive branch telling allies that the president would respond unilaterally in the event of attack regardless of process conditions found in the treaty, deployments of U.S. forces in ways that bolster legal justifications to act even absent congressional approval, or perhaps even demonstrative uses of military force to credibly convey the president's willingness to act unilaterally. In other words, presidents will feel pressure to project an image of an imperial president specifically in order to reassure allies.

The idea that the credibility of American alliance commitments is tightly linked with the perceived willingness and ability of the president to act unilaterally, however, has never been without detractors. Indeed, the conventional wisdom is that such a strong connection does not exist. For example, in spite of the warnings Nixon and Kissinger made to Congress in the early 1970s that legal constraints on the president would unnerve allies, such warnings were widely dismissed. One of the strongest proponents of war powers reform, Senator Thomas Eagleton, repeatedly argued that such legal strictures would not have any "negative effect" on U.S. commitments because "it must be well known to the leaders of [allies] that before American troops become involved there has to be authorization to become engaged in war."²⁷ Similarly, Senator Jacob Javits, the primary sponsor of the WPR, argued that constraining the president would not undermine U.S. alliances because "every nation in the world knows...that the President cannot commit this nation to a determined war struggle without the concurrence of the Congress."²⁸

More recently, several (often bipartisan) proposals to reform the War Powers Resolution, which has proven porous and unenforceable, would effectively prohibit action to defend allies absent formal approval from Congress.²⁹ There has seemingly been little recognition that such legislation might severely unsettle allies—indeed many of the legislators supporting these proposals, such as Senators Tim Kaine and Chris Murphy, are noted internationalists who have criticized President Trump's dismissive treatment of alliance partners. Similarly, several leading scholars of international relations and international law otherwise noted for their support of American alliances have called for curtailing the president's powers to make war.³⁰ Such prescriptions seemingly assume that the strength of U.S. alliance commitments is unrelated to the president's perceived ability to initiate armed conflict unilaterally. Observable implications consistent with this lack of relationship are shown on the right in the table below.

²⁷ War Powers: Hearings, Ninety-third Congress, First Session. United States: U.S. Government Printing Office, 1973.

²⁸ Jacob Javits, *Congressional Record*, November 5, 1973.

²⁹ *War Powers Amendments of 2021*, H.J. Res. 29, 117th Cong., 1st sess., introduced March 8, 2021, <https://www.congress.gov/bills/117/congress/house-joint-resolution/29/text>; *National Security Powers Act of 2021*, S. 2391, 117th Cong., 1st sess., introduced July 20, 2021, <https://www.congress.gov/bills/117/congress/senate-bill/2391>.

³⁰ Beckley (2015); Goldgeier and Saunders (2018); Hathaway (2019).

Expectations of Competing Theories:		
	<i>Commitment Gap: close relationship between alliance reassurance and perceived ability of president to act unilaterally</i>	<i>No Gap: perceived strength of alliance commitment unrelated to perceptions of president's ability to act unilaterally</i>
U.S. Allies	Attentive to “constitutional processes” language in treaty; strong aversion to legal requirement of congressional approval to intervene; skepticism toward reliability of American commitment if president perceived as legally constrained; desire for legal mechanisms to support presidential unilateralism.	Requirement of congressional authorization prior to U.S. response not viewed as problematic; largely unaware of, or give little care toward, U.S. domestic war powers questions; credibility of U.S. commitment not seen as closely related to president’s legal authority.
U.S. Presidential Admins.	Sensitive to perceived lack of legal ability to act unilaterally; attempt to convince allies president willing to respond unilaterally (e.g. demonstrative uses of force to prove president unconstrained; broad assertions of presidential power; tripwire deployments that bolster legal justifications for unilateral action).	Little pressure felt to show legal capacity to act or willingness to do so without congressional authorization.

Our theory implies that increases in congressional efforts to constrain the president will lead to greater presidential effort to reassure allies or, failing that, efforts by allies to reduce dependence on the United States. The conventional wisdom, demonstrated by the quotes from policymakers above, suggests this will not occur: congressional efforts to constrain the president will have little impact on how reassured allies feel, and hence not lead to these developments.

Research Design and Case Evidence

To test our theory, we use archival evidence to investigate allies’ perceptions of war powers issues in the United States. Following Henry (2022), Blankenship (2023), and many others, we examine U.S. alliance cases from the Cold War. This not only allows us to directly compare our own theory to cases already familiar to other scholars, but it provides several other benefits. First, as a practical matter, we have better access to private or declassified diplomatic correspondence in that era than in the post-Cold War period. Second, as a theoretical matter, these cases should be more difficult tests for our theory, because the further back in time we go, generally the less information about constitutional debates occurring in Washington traveled to foreign capitals; if we find that our theory operated even in the early Cold War, then it should all the more so operate today.

Within the Cold War era, we focus on two specific time periods: first, the late-1940s to mid-1950s period when the treaties were negotiated and ratified; second the late-1960s and early-1970s period when war powers debates raged in the United States and the 1973 War Powers Resolution was enacted.

In the first period, we focus mainly on the formation of the North Atlantic Treaty, as this was both the most high profile of the new American defense commitments and set the template for

subsequent treaties (Kuo 2021). Because recent work has highlighted the problem of assuming generalizations based solely on European case studies (Kang and Lin 2019), we then focus our case studies of the War Powers Resolution era on states in East Asia. Altogether, we show a consistent pattern across alliance partners throughout the world: allies want an unconstrained presidency when it comes to the power to make war. We conclude by considering the applicability of these findings from the Cold War to alliance politics today.

Treaty Formation (1940s-50s)

If U.S. allies associate American war powers with alliance credibility, we would expect to see such concerns apparent in the original treaty bargaining. It is also here that we should find clear evidence of a commitment gap between what allies feel necessary and what U.S. treaty commitments legally provide for. We find evidence to support each of these propositions.

The North Atlantic Treaty

The commitment gap is clearly seen in the negotiating history of the North Atlantic Treaty in 1948-49. Acheson viewed as paramount the contest between allies' desire for automatic commitment and the Senate's demands to avoid such commitment—"I was like a circus performer riding two horses," (Acheson 1969, pg. 277). President Truman similarly noted the tension between reassuring allies and gaining Senate approval of the treaty, recalling in his memoirs that the United States was unable to explicitly agree to "any automatic, unlimited engagements under our constitutional system...but we had to give assurances sufficient enough to inspire the confidence and bolster the faith of the countries of Europe who felt themselves under constant and heavy Soviet pressure," (Truman 1956, pg. 245).

Indeed, the 1949 Senate debate on the treaty's ratification centered on the question of whether the United States would be committed to war absent a formal vote by Congress to authorize the use of force. Even some of NATO's strongest supporters in the Senate expressed concern about the commitment gap. Acheson writes of the "dilemma" facing Senator Arthur Vandenberg: "he understood clearly that the more specifically the commitment was defined the more nearly the opposition might approach that one-third-plus-one of the senators present that could defeat it, while the more vaguely it was stated the less would it achieve his purpose"—i.e., deterrence and reassurance (Acheson 1969, pg. 280). Still, Vandenberg expressed discomfort with the possibility that the treaty might make "instant war action by the president automatic and inevitable if there is an armed attack on someone else," (Kaplan 1984, pg. 115).

From the earliest moments of treaty negotiations with foreign counterparts, Congress's constitutional power to declare war had posed a problem (Kaplan 1984).³¹ It was Congress's opposition—mostly framed in constitutional terms—to an automatic commitment beyond its control that led to insertions in the treaty text providing that parties would carry out their mutual defense obligations "in accordance with their respective constitutional processes."³² A Senate

³¹ *FRUS*, 1948, Western Europe, Volume III, Doc. 117.

³² "The North Atlantic Treaty." NATO. https://www.nato.int/cps/en/natohq/official_texts_17120.htm.

committee report on the treaty clearly exhibited the have-it-both-ways logic. It stated that the pact's primary purpose was deterrence,³³ but it also stated that the treaty did not "give the president the power to take any action, without specific congressional authorization."³⁴

Prospective allies in Western Europe sought a strong, clear commitment from the United States and fought hard against this process language (Kaplan 1984; Sayle 2019). In a February 1949 conversation, for example, the Norwegian foreign minister argued: "They say the Pact provides for consultation and other action according to constitutional processes and meanwhile Denmark will have been overrun."³⁵ Acheson instructed that the Norwegians be told that although the American response might not be "automatic" per se, there were "certain actions executive might take" unilaterally to "certainly exercise" its mutual defense commitment.³⁶

Acheson was thus forced to walk an extremely fine line between appeasing the Senate enough to secure ratification—the sine qua non of the treaty—and yet to keep allies reassured. European negotiators unsuccessfully pushed to leave out of the text any mention of constitutional requirements, which would have been consistent with the existing Brussels Treaty (Kaplan 1984). On the other side, some U.S. senators unsuccessfully pushed for a treaty reservation that would have explicitly clarified that any U.S. use of force in furtherance of the treaty would have to be formally authorized by a congressional vote (Glennon 1990, pg. 213). Neither of those alternative formulas could achieve both strategic needs and requisite political support. With the "constitutional processes" language, Acheson garnered enough Senate support to win ratification but avoided conceding that *only* Congress could authorize the use of force. Indeed, many Europeans were intentionally left with the impression by the administration that it could act unilaterally. The British delegates, for example, reported home that "the United States would not be able to avoid being involved in the conflict whatever view the Senate took as to its technical right in regard to the declaration of war."³⁷

A year later, the executive branch reassured NATO allies of that unilateral presidential power when Truman went to war in Korea without formal congressional approval. One author argues that Truman believed he "had to circumvent the constitutionally prescribed role of Congress in declaring war, in order to show the world that the United States could respond quickly to communist aggression," (Giglio 2016, pg. 432). The move—which caused alarm among opponents of presidential unilateralism at home—seemingly had that reassuring effect among European allies: while a year earlier Norway had expressed specific worry that the "constitutional processes" provision of NATO would inhibit an effective American response, the Norwegian Ambassador now told Acheson that "the smaller nations of Europe were much heartened...feeling that if the US is

³³ U.S. Congress, Senate, Committee on Foreign Relations, *Report on the North Atlantic Treaty*, S. Exec. Rept. 8, 81st Cong., 1st sess., June 6, 1949, 27.

³⁴ Ibid at 14.

³⁵ *FRUS*, 1949, Western Europe, Volume IV, Doc. 55.

³⁶ Ibid., Document 64.

³⁷ Memorandum by the SIS for Foreign Affairs, 19 Feb. 1949, "North Atlantic Pact," C.P. (49)34, pp. 1-2, CAB 129132 8605.

capable of meeting a situation in Korea so firmly, it will certainly not falter in its commitments in the NAT area.”³⁸

Such assertions of presidential power to carry out American treaty commitments continued in the Eisenhower administration. In 1954, Secretary of State Dulles publicly stated that the NATO obligations of the United States required the president to respond without waiting for action by Congress in the event an ally was attacked.³⁹ Unilateral action by the president and alliance reassurance seemingly went hand-in-hand.

Pactomania

A similar pattern to NATO’s would be seen in each of the subsequent alliances forged by the United States over the next decade. As other scholars have emphasized, each of these treaties specifically adopted the “constitutional processes” language found in the NATO treaty, and many senators at the time cited that provision in asserting that the treaty thus contained no “automatic” commitment (Glennon 1990). Less well-known is that for nearly every alliance, allies expressed specific concern over whether the president would have the ability to come to their aid absent congressional approval, and that the White House consistently assured allies that it could (and would). To the best of our knowledge, these assurances of unilateral action—in tension with the language approved by Senators—have never before been systematically compiled as they are in the following table.

Treaty	Evidence of Ally Concern about Inability of President to Act Unilaterally	Reassurance from Executive Branch that President Would Act Unilaterally	
<i>NATO</i>	Yes (see above)	Yes (see above)	
<i>ANZUS</i>	Yes. An Australian representative asked “what was meant by the reference to constitutional processes.”	Yes. A U.S. representative replied: “Only in the unlikely event that the U.S. started a war would the phrase have relevance. It did not in fact therefore impose any serious limitation.”	⁴⁰
<i>US-ROK</i>	Yes. The South Korean president asked “may we count upon inclusion of a provision for immediate and automatic military support in case ROK should be attacked?”	Yes. The U.S. representative assured: “The President would within his executive powers act instantly to aid a friendly nation with whom we had a security pact...you may of course count upon our immediate and automatic military reaction,” because “such an attack would not only be an attack upon the Republic of Korea but an attack upon...U.S. forces.”	⁴¹

³⁸ Dean Acheson, memorandum of conversation with Wilhelm Morgenthau, June 20, 1950, Acheson Papers, HSTL.

³⁹ War Power Legislation, 1973: Hearings, 93-1, April 11 and 12, 1973. United States: 1973.

⁴⁰ *FRUS*, 1951, Asia and the Pacific, Volume VI, Part 1, Doc. 52.

⁴¹ *FRUS*, 1952–1954, Korea, Volume XV, Part 2, Doc. 713-15.

US-Phil.	Yes—sought several reassurances of this throughout 1950s.	Yes. Reassurances in 1954, 1958. In 1959, because of massive U.S. troop presence in country: “it is no legal fiction to say that an attack on one is an attack on both.” ⁴²
US-ROC	Yes—ROC Ambassador asked “if the President could take measures under the Treaty...without consulting Congress” and “if...the President in his discretion could take immediate measures.”	Yes. A U.S. representative replied: “[T]his Treaty language would provide the President with constitutional authority, which he would not otherwise have, to act in the event of an armed attack.” ⁴³
SEATO	Yes—A delegate of the Philippines insisted that “when we are attacked, that attack shall be repelled by all and instantly, because...if we are to depend on constitutional processes, we may all be wiped out...before action is taken.”	Yes—A U.S. representative assured: “In the event that the safety of the United States is imperiled, the President is empowered to act without regard to Congress.” ⁴⁴

That many of these private U.S. assurances took place under the Eisenhower administration is especially telling because Eisenhower was generally more deferential to congressional war power prerogatives than other postwar presidents (Fisher 2013). Thus, even the presidential administration that seemed least inclined to proclaim broad assertions of presidential power was in fact reassuring allies that congressional authorization was unnecessary to come to their defense. Consistent with our theory, the evidence strongly suggests that throughout this period of treaty formation, the executive branch viewed an image of an imperial presidency ready, willing, and able to use force unilaterally as a critical component of effective alliance reassurance.

The War Powers Resolution (1960s-1970s)

In addition to the era of treaty formation in the late-1940s and 1950s, we also examine the period around the War Powers Resolution. If allies are concerned about the American president’s ability to act unilaterally, we might expect to find evidence of their concerns during this time period. The final version of the WPR was enacted over a presidential veto in November of 1973, but we examine roughly the period from 1967 through the end of the 1970s. Although draft versions of the WPR were first introduced in 1970, the precursor to the WPR—the Senate’s non-binding National Commitments Resolution (NCR)—was first debated as far back as 1967 (Sullivan 1982). Moreover, it took several years after 1973 for actors to assess the WPR’s practical impact.

The WPR’s predecessor was called the National *Commitments* Resolution for a reason. In the time period, it was widely believed within Congress that U.S. commitments were a key driver of

⁴² *FRUS*, 1952–1954, East Asia and the Pacific, Volume XII, Part 2 Doc. 375; *FRUS*, 1958–1960, South and Southeast Asia, Volume XV, Doc. 401; Telegram 1377 from Manila, October 12, 1959; Department of State, Central Files, 711.56396/10–1259.

⁴³ *FRUS*, 1952–1954, China and Japan, Volume XIV, Part 1, Doc. 382.

⁴⁴ *FRUS*, 1952–1954, East Asia and the Pacific, Volume XII, Part 1, Doc. 354.

the imperial presidency (Hulme and Waxman 2023). Hearings about the NCR and WPR often involved both consideration of how international commitments were contributing to an aggrandized president and, conversely, how the resolutions would affect American alliances. For example, the Nixon administration often used risks to alliance credibility as an argument against a WPR. This was not just politics; internal documents from April 1972 show an administration concerned that the proposed bill would create “a serious erosion of credibility of the U.S. as a collective security partner in eyes of all allies, especially NATO.”⁴⁵ Two months later the administration privately assessed that even a non-binding bill would call into question the “reliability of U.S. commitments to allies.”⁴⁶ Nixon’s veto message of the WPR in the fall of 1973 similarly argued “the confidence of our allies in our ability to assist them could be diminished” by the resolution.⁴⁷

Two key debates surrounding the WPR’s text are especially important. First and foremost for domestic and international actors alike was how constraining the new act was *de facto*. While today the WPR is often considered a virtual dead letter, this was not the case at the time of its enactment.⁴⁸ The WPR’s text states that the president may only use force “pursuant to (1) a declaration of war, (2) specific statutory authorization, or (3) a national emergency created by attack upon the United States...or its armed forces.” Notably and intentionally omitted is any authority to act in furtherance of a treaty obligation,⁴⁹ and there was great uncertainty over whether that specific provision was legally binding. The WPR further declares that congressional authorization may not be inferred from treaties. Although commentators today often aver that the WPR recognizes broad presidential authority to use force for 60 days absent formal authorization from Congress, this was not the interpretation understood by most of the bill’s supporters at the time (Sullivan 1982). The WPR added new uncertainty about the president’s unilateral power to defend allies atop the ambiguous “constitutional processes” clause in alliance treaties.

If those were domestic U.S. debates, what did allies make of them? We focus our analysis here on three cases of U.S. allies in East Asia—South Korea, the Philippines, and Thailand—though we found very similar perceptions among other allies in the time period, and the findings appear to generalize broadly. Much material, for example, shows that South Vietnam recognized that a constrained president posed an existential threat to its own security (Nguyen and Schechter 1986). Likewise, when attempting to reassure Pakistan after the Soviet invasion of Afghanistan in 1979, the Carter Administration was unable to assuage fears in Islamabad that the War Powers Resolution undermined the credibility of any American defense commitment without explicit congressional authorization for the use of force (Thornton 1982).⁵⁰

⁴⁵ *FRUS*, 1969–1976, Volume II, Organization and Management of U.S. Foreign Policy, 1969–1972, Doc. 389.

⁴⁶ *Ibid.*, Doc. 392.

⁴⁷ Richard Nixon, Veto of the War Powers Resolution Online by Gerhard Peters and John T. Woolley, The American Presidency Project.

⁴⁸ As explained below, and consistent with other scholarship, the primary reason presidents felt it necessary to “wriggle free” of the WPR was precisely for reasons of alliance reassurance. See, for example, Fibiger (2020).

⁴⁹ Including alliances as a fourth possible source of authority was actively considered but ultimately rejected (Sullivan 1982).

⁵⁰ United States. National Security Council. January 10, 1980. “Special Coordination Committee Meeting: Iran/Pakistan.”

South Korea

South Korea, like most other U.S. allies, sought a firm, automatic commitment from the U.S. to respond in case of attack. From the moment of alliance formation in the early 1950s, Seoul was particularly adamant that the president be able to respond without waiting for congressional approval. In a March 1967 briefing paper for the visit of Prime Minister Il Kwon Chung, the Johnson administration noted that the South Koreans had again recently been floating proposals to amend the US-ROK Mutual Defense Treaty to remove the reference to “constitutional processes.”⁵¹ The briefing stated that “The Koreans believe that such an amendment would result in language compelling an instantaneous U.S. response.”⁵² The American reply was to state that the commitment in the ROK-US alliance was “substantively the same” as NATO’s and that “our commitment to Korea’s security is demonstrated by the continuing presence of American troops there.”

Less than a year later, after the *Pueblo* incident in early 1968, Seoul again asked for clear reassurances that the president would act to defend South Korea regardless of Congress. The U.S. embassy reported Seoul’s concerns:

People doubt that U.S. will actually commit its forces to defend them in case NK aggression continues and are especially concerned over language in Mutual Defense Treaty which says that each party will act in ‘accordance to its constitutional process.’ What is needed, he said, is some flat statement...which spells out fact that President Johnson can commit US forces without time-consuming Congressional debate and approval.⁵³

Such efforts by Seoul continued into the next American administration. A 1969 National Security Council background paper reported that “the ROKs have pressed us for years to drop the reference to constitutional processes and make the Treaty commitment more automatic.”⁵⁴

After the WPR’s passage in 1973, U.S. allies in Asia became especially worried over the credibility of the American commitment. An April 18 telegram from the American embassy in Seoul reported that the “U.S. commitment to Korea is suspect. While [South Korea was] bolstered by administration statements, [the] focal point of concern is congressional attitudes and fear that in [a] conflict situation Congress...may...deny funds and use of US forces needed to defend Korea.” It was reported that because of this Seoul had decided to “move rapidly as possible to self-reliance.”⁵⁵

After Saigon’s fall in 1975, American officials were especially concerned that international perceptions of a shackled president were affecting alliance reassurance. At a May 7 National

⁵¹ Briefing information for 3/14-3/15/67 U.S. visit of Prime Minister Il Kwon Chung: U.S.-Korean Mutual Defense Treaty. Department Of State, 14 Mar. 1967. U.S. Declassified Documents Online.

⁵² Ibid.

⁵³ FRUS, 1964–1968, Volume XXIX, Part 1, Korea, Doc. 174.

⁵⁴ United States National Security Council. *U.S. Commitments to the Republic of Korea* 1969.

⁵⁵ FRUS, 1969–1976, Volume E–12, Documents on East and Southeast Asia, 1973–1976, Doc. 267.

Security Council staff meeting, Kissinger stated that a requirement of congressional authorization was the problem: “I wouldn’t bet my bottom dollar when Korea gets invaded, whether Congress will pass a war resolution or an evacuation resolution.”⁵⁶ A credible assurance the U.S. would act—and specifically that the president would act regardless of Congress—was seen as key. Ford himself knew that “rhetoric alone...would not persuade anyone that America would stand firm. They would have to see *proof* of our resolve,” (Ford 1979, pg 275, emphasis added).

An opportunity to demonstrate such resolve on the part of the president would present itself just days later when the commercial ship *Mayaguez* was captured by Cambodian forces. When the crisis arose on May 12, Ford specifically asked how military options might be “hamstrung” by the WPR.⁵⁷ The demonstrative use of force was not meant just to show that the U.S. would respond in general, but more specifically that the president would unilaterally respond even in the face of congressional opposition. Kissinger argued in a May 14 meeting, “the Koreans and other [allies] would like to look us over and to see how we react. Under certain circumstances, in fact, some domestic cost is to our advantage in demonstrating [our] seriousness.”⁵⁸ A recent history of the *Mayaguez* incident notes that “Kissinger and other US leaders wanted to signal that the United States was ready and fully determined to protect South Korea—regardless of public opinion and congressional restrictions,” (Lamb 2018, pg. 136).

This reasoning was, indeed, clearly on the mind of the president. In a May 15 meeting with the Shah of Iran—another U.S. partner—Ford admitted, “We perhaps overreacted, to show the Koreans and others our resolve...There were legislative restrictions imposed in...the War Powers Act, which some said meant the President couldn’t act. This showed we could and did and showed the world we weren’t hamstrung.” The Shah concurred, “It shows the world that when the U.S. decides to do something it can be decisive.”⁵⁹

Still, questions over the automaticity of the American commitment to Seoul remained. In an August 1975 meeting, a Korean representative argued that “we are concerned that in the event of major aggression by North Korea the U.S. would have to go through various time-consuming processes,” specifically citing Congress. “And while all this was going on, our capital...would be endangered by a lightning war.”⁶⁰ Secretary of Defense James Schlesinger replied that this was a “theoretical and not a practical problem. There is no question in my mind as to what the President would authorize to be done in the case of major aggression. *I do not believe he would refer the issue to Congress.* I believe the reaction would be immediate.”⁶¹ He stated emphatically that “in the event of major aggression across the DMZ our reaction would be covered by the inherent powers of the U.S. President in light of the presence in the area of U.S. forces.”⁶² In other words, a reassurance

⁵⁶ Ibid.

⁵⁷ *FRUS*, 1969–1976, Volume X, Vietnam, January 1973–July 1975, Doc. 285.

⁵⁸ Ibid., Doc. 295.

⁵⁹ *FRUS*, 1969–1976, Volume XXVII, Iran; Iraq, 1973–1976, Doc. 125.

⁶⁰ Ibid.

⁶¹ Emphasis added. Thomas J. Barnes memo to General Scowcroft regarding Secretary Schlesinger’s discussion in Seoul. National Security Council, 29 Sept. 1975. U.S. Declassified Documents Online.

⁶² Summary of a meeting between U.S. and South Korean defense officials to reevaluate the U.S. military role in South Korea. Department of Defense, 26 Aug. 1975. U.S. Declassified Documents Online.

value of U.S. troops on the DMZ was that their presence gave the president a strong constitutional rationale for using force without waiting for congressional authorization.

An analysis of the meeting a month later concluded that “there is no doubt Secretary Schlesinger’s trip was highly successful in manifesting our commitment to our South Korea allies.”⁶³ The demonstration of an unconstrained president in the *Mayaguez* incident and promises from the administration that the president would and could act unilaterally despite procedural conditions in the treaty went a long way in reassuring South Korea after the 1973 War Powers Resolution. Notably, the presence of American forces helped convince Seoul the president would be able to act unilaterally.

The Philippines

The Philippines similarly sought assurances of unilateral action by the president in the post-WPR period. As far back as the drafting of the SEATO treaty, Manila had (unsuccessfully) attempted to have the “constitutional processes” language stricken from the pact. It was more successful in acquiring verbal assurances of automatic and immediate defensive intervention from the White House.⁶⁴ In 1958, for example, Eisenhower issued a joint statement with the Philippine leader stating that “any armed attack against the Philippines would involve an attack against United States forces stationed there...and would instantly be repelled.”⁶⁵ Not only would the U.S. troop presence serve as a tripwire in the conventional sense, but an attack on them would remove any constitutional doubt about the president’s authority to intervene militarily.

The passage of the War Powers Resolution in 1973, however, undermined the credibility of the American commitment. An August 1973 State Department cable noted that the Philippines sought a renewed, automatic commitment but “realized it would be most inopportune to raise this in the U.S. Senate in the middle of the war powers debate.”⁶⁶ When the fall of Saigon was imminent in April 1975, Manila again raised the issue. The American Embassy reported back to Washington that the Philippines was reassessing its security arrangements with the United States because Manila was “disturbed by emerging view that commitments made by American presidents are nothing more than statements of intent that do not bind...the Congress.”⁶⁷ Manila simultaneously expressed that it would have to rely on its own actions for its security.⁶⁸

The U.S. embassy predicted that Manila would demand either an “iron-clad commitment” to go to the “automatic defense of Philippines” or else it would kick the United States out of the archipelago or charge them heavily for its basing there.⁶⁹ In an April 16, 1975 speech, President

⁶³ *FRUS*, 1969–1976, Volume E–12, Documents on East and Southeast Asia, 1973–1976, Doc. 273.

⁶⁴ *FRUS*, 1952–1954, East Asia and the Pacific, Volume XII, Part 2, Doc. 375.

⁶⁵ Dwight D. Eisenhower, Joint Statement following Discussions With the President of the Philippines. Online by Gerhard Peters and John T. Woolley, The American Presidency Project.

⁶⁶ Embassy Manila to Department of State, Telegram 9787, August 27, 1973, 1973MANILA09787, Central Foreign Policy Files, 1973-79/Electronic Telegrams, RG 59: General Records of the Department of State, U.S. National Archives (accessed October 6, 2023).

⁶⁷ *FRUS*, 1969–1976, Volume E–12, Documents on East and Southeast Asia, 1973–1976, Doc. 334.

⁶⁸ *Ibid.*

⁶⁹ *Ibid.*

Marcos stated, “Literal interpretation of [the] treaty provides no guarantee for the Philippines. The U.S. proposes to react only to attacks on U.S. bases...responses to treaty obligations by any U.S. government would have to be approved by Congress.”⁷⁰

Manila clearly viewed American troops as a tripwire that would activate the president’s unilateral power to respond to attacks on U.S. forces. An August 2, 1976 cable reported that Manila believed that “U.S. will come to defense of Philippines only [repeat] only if U.S. forces stationed here are attacked.” This was not just a political or strategic issue, but a legal one. The cable reported that this belief had come from the testimony of executive branch witnesses during hearings on the National Commitments Resolution in 1969. From this, leaders in the Philippines believed that “U.S. forces would react ‘automatically’ and ‘instantaneously’” only if U.S. forces were attacked. Otherwise, they believed the “executive would observe ‘constitutional processes’ and have to ask for [congressional authorization] before U.S. troops could be committed.”⁷¹

In August, Deputy Secretary of State Charles Robinson was sent to negotiate a new basing agreement. When asked by Manila what the American response would be if the Philippines were subject to armed attack, Robinson was unprepared and simply asserted the U.S. would follow its “constitutional processes” (Winger 2022, pg. 401). Marcos was so unsatisfied with the ambiguous response that he “presented the U.S. with a formal Aide Memoire asking Washington for an explicit statement of American obligations under the [treaty],” and refused to allow further negotiations on the basing issue until the issue was resolved (Winger 2022, pg. 401). Manila also pressed U.S. representatives to clarify that the WPR contained no binding limitation on the president’s power to defend allies.⁷² In October, then-Secretary of State Henry Kissinger attempted to reassure the Philippine foreign minister that “with regard to the reference in the treaty to constitutional process...he could not imagine having any problem obtaining congressional support for defense of the Philippines, in view of the existence of the treaty and our bases there.”⁷³

By November, the Ford administration realized that it needed to give stronger assurances than simply asserting that Congress would probably authorize the use of force in the Philippines’s defense. Kissinger this time reassured Manila that “the powers of the president under our constitution as chief executive and commander-in-chief are extensive and remain unimpaired by the treaty, as well as by legislation such as the recent War Powers Resolution.”⁷⁴ The administration assessed that it had to restate pledges made by “Secretary Dulles and President Eisenhower and reiterated by President Johnson to the effect that an attack on the Philippines would be instantly

⁷⁰ Ferdinand Marcos, “A Matter of Survival,” speech before the University of the Philippines Law Alumni Association, 16 April 1975.

⁷¹ Embassy Manila to Embassy Canberra, Telegram 11355, August 2, 1976, 1976MANILA11355, Central Foreign Policy Files, 1973- 79/Electronic Telegrams, RG 59.

⁷² State Department to Embassy Manila, Telegram 272078, August 4, 1976, 1976STATE272078, Central Foreign Policy Files, 1973- 79/Electronic Telegrams, RG 59.

⁷³ *FRUS*, 1969–1976, Volume E–12, Documents on East and Southeast Asia, 1973–1976, Doc. 354.

⁷⁴ State Department to CINCPAC, Telegram 268153, November 9, 1976, 1976STATE268153, Central Foreign Policy Files, 1973- 79/Electronic Telegrams, RG 59.

repelled by the United States.” In doing so, American diplomats told the Philippine government directly, “We believe this is not inconsistent with the War Powers Act.”⁷⁵

Ford, however, would lose his bid for reelection the next month, and the issue was left for the incoming Carter Administration, which realized, “Marcos does...appear concerned that passage of the War Powers Act has eroded our commitment. It was agreed that at some point in the negotiation we will need to assure him that our existing commitment still stands.”⁷⁶ By September 1977, Marcos had developed a position that the United States would have to either make a deeper commitment to defend Manila or arm it.⁷⁷ The Carter Administration attempted to reassure Manila that the president actually did have requisite unilateral powers to defend the Philippines: “Secretary Vance emphasized that the War Powers Resolution does not preclude the President from acting and taking any steps he sees necessary.”⁷⁸ An exchange of letters in early January 1979 pledged: “The reference in the treaty to ‘constitutional processes’ serves to make clear that the treaty could not, and was not intended to, alter those processes for either party. In the case of the United States, *the powers of the president under our Constitution as chief executive and commander-in-chief are extensive and remain unimpaired...*”⁷⁹

In the end, Manila was able to secure both stronger assertions of executive power and significant aid concessions from the United States. Assuring the protégé of an unconstrained presidency again proved to be a key form of reassurance in the alliance relationship. And, as was the case in South Korea, the presence of American troops was closely tied with the perceived ability of the president to act unilaterally in the minds of Manila’s decision-makers.

Thailand

The United States first became formally committed to Thailand’s defense in 1955 via SEATO. Thailand had joined the Philippines in seeking to remove the “constitutional processes” clause in that treaty when it was originally negotiated, but it was unable to secure such a concession.⁸⁰ Almost immediately, Thai policy-makers began having doubts about the credibility of the alliance due to sentiment evident among U.S. congressional leaders (Kislenko 2000). In 1964, Thai Foreign Minister Thanat even expressly lamented the “constitutional processes” language of the treaty in a *Foreign Affairs* article (Thanat 1964).

⁷⁵ State Department to Embassy Manila, Telegram 287342, November 23, 1976, 1976STATE287342, Central Foreign Policy Files, 1973- 79/Electronic Telegrams, RG 59.

⁷⁶ Ibid.

⁷⁷ Newsom (Manila) to State, No. 15267, “Holbrooke-Marcos Discussion and assessment and guideline,” 26 September 1977: CFPE, NARA. “[President] Marcos...stressed theme that under the War Powers Act, the value of American treaty commitment was either sharply reduced or eliminated. I said that this was simply not the case, and that the War Powers Act did not affect the validity of the treaty.” *FRUS*, 1977–1980, Volume XXII, Southeast Asia and the Pacific, Doc. 300.

⁷⁸ Mrs. Marcos replied defensively, “this was what had transpired in the past and some quarters held the President impotent...She...raised several other questions about the Mutual Defense Treaty (MDT) and the War Powers Resolution...The Secretary reassured her on both the MDT and the War Powers questions.” Ibid., Doc. 304.

⁷⁹ Emphasis added. State Department to Embassy Manila, Telegram 4453, January 6, 1979, 1979STATE004453, Central Foreign Policy Files, 1973- 79/Electronic Telegrams, RG 59.

⁸⁰ “For the Thais, the central issue in the Treaty’s wording was the question of automaticity,” (Randolph 1986, pg. 29).

In 1966, as the Vietnam War escalated and as Congress became more skeptical of the American role in Southeast Asia, Thailand again began having doubts about the credibility of U.S. security commitments. In hearings about U.S. commitments in the region, the relationship with Thailand came under scrutiny from congressional leaders (Kislenko 2000). Senator Fulbright, Chairman of the Senate Foreign Relations Committee, publicly stated that he thought that the United States should reconsider its relationship with Thailand. In response, Bangkok sought a firmer security guarantee from the administration.⁸¹ Like other allies, the Thai government wanted greater automaticity, and they wanted it written down. Thanat “inquired whether it was so difficult to put it in words ‘in black and white.’” Secretary of State Rusk knew, however, that such an effort would never win Senate support, and if anything the process might undermine the unilateral assurances given by the executive. In response to Bangkok’s appeals for stronger and explicit guarantees, Rusk said “that he did not know of anything he could say that he had not already said in the light of our constitutional system.”⁸²

By early 1970, Thanat admitted to Secretary of State William Rogers that “they were worried mainly about U.S. congressional attitudes which, they fear, might limit the Administration’s ability to fulfill U.S. commitments.” Rogers “assured him that congressional actions and attitudes would have no effect on U.S. treaty commitments.”⁸³ It was clear this fear was driven by the “constitutional processes” clause of the treaty: “The Secretary then recalled that the SEATO Treaty contains a provision that in taking action the signatories will follow their ‘constitutional processes,’ to which Thanat commented bitterly, ‘Yes, an escape clause.’” Thanat specifically noted that “the Thai do not doubt the Administration’s words in offering such reassurances but that the words of Congress raise doubts.”⁸⁴

The issue of draft war powers resolutions—circulating on the Hill since the summer of 1970—was also clearly on the minds of Thai policymakers. In 1971, when the Under Secretary of State attempted to blame anti-war groups for constraints on American military and economic support to Thailand, “Thanat commented that the problem is deeper than just the anti-war groups, it is also a struggle between the Executive and Legislative branches of the US Government,” which included a “desire of Congress to curb the war powers of the President.”⁸⁵

Without trust in the American security commitment, Thai foreign policy turned toward realignment. Notably, the Thais seemingly would have trusted the agreement more had they perceived the president as having more unilateral power. Thanat and others frequently asked for a new treaty or at least written guarantees that the American commitment would be automatically met by the executive branch, but were consistently disappointed in the response. By 1975—even before Saigon’s fall—Bangkok was beginning to move in another direction. A January State Department Cable complained of “Thanat’s oft-repeated argument that U.S. Forces should be withdrawn from Thailand since they impede better relations with Hanoi and congressional restrictions make it

⁸¹ *FRUS*, 1964–1968, Volume XXVII, Mainland Southeast Asia; Regional Affairs, Doc. 323.

⁸² *Ibid.*

⁸³ *FRUS*, 1969–1976, Volume XX, Southeast Asia, 1969–1972, Doc. 48.

⁸⁴ *Ibid.*

⁸⁵ *Ibid.*, Doc. 121.

unlikely that they will be employed.”⁸⁶ By March Thailand considered ejecting U.S. forces still based on its territory. The U.S. government tried to argue (like in the Korea and Philippines cases) that the president would be less legally-constrained if U.S. forces were in the country. The Thais however “did not believe, given current attitudes within the U.S. and in the U.S. Congress, that we would use these forces in Thailand's defense.” Notably, the White House faced a major barrier vis-a-vis Thailand it did not face with any of its other allies: the Case-Church Amendment passed in the summer of 1973 affirmatively prohibited the use of American military force in mainland Southeast Asia absent formal approval from Congress.⁸⁷

In June, a State Department cable noted that Thai “knowledge of congressional strictures on use of [force]” was leading them to doubt the credibility of the alliance. The cable explained, “the Thai think they are no longer under our protective umbrella, notwithstanding the repeated high level assurances they have received...regarding our determination to honor our commitments” because of the “increased role of the U.S. Congress.”⁸⁸ In a September 7 article published in the *Bangkok Post*, the Secretary General of the Thai National Security Council similarly noted that “high-ranking American officials have assured us that they would carry out their commitment to us” but that assurance was qualified by the “constitutional process” clause of the treaty. He specifically pondered whether “it be possible for the Americans to come to our aid immediately without first getting the approval of Congress?...If it is up to Congress, then it is difficult for us [to be confident in the American commitment].”⁸⁹

Thanat succinctly summarized Thai thinking regarding the credibility of the American commitment: “What are promises worth if we are unsure of the position of the [American] legislative branch? If the U.S. Congress was to pass a resolution tomorrow that if Thailand were attacked the U.S. would join Thailand's defense, I would be the first to advocate that American forces remain. At present, however, they are a liability,” (Jackson 1986, pg. 165). Thailand accordingly realigned its foreign policy, working much more closely with Communist China and opening relations with the Soviet Union.

Conclusion and Implications

The cases presented above exhibit consistent evidence that U.S. allies are very attuned to U.S. domestic war powers questions, are highly sensitive to the commitment gap manifest in the “constitutional processes” language in each alliance treaty, and seek to redress the resulting commitment gap. On the American side, we see that successive American administrations have felt

⁸⁶ State Department to CINCPAC Telegram 15015, January 22, 1975, 1975STATE015015, Central Foreign Policy Files, 1973- 79/Electronic Telegrams, RG 59.

⁸⁷ Thus, while all allies had to worry about the ambiguity of the “constitutional processes” term in their defense treaties and the effect of the War Powers Resolution, Bangkok was unique among American allies in facing the additional barrier of a clear prohibition on the use of force via the Case-Church Amendment.

⁸⁸ Embassy Bangkok to State Department, Telegram 12351, June 25, 1975, 1975BANGKO12351, Central Foreign Policy Files, 1973- 79/Electronic Telegrams, RG 59.

⁸⁹ Embassy Bangkok to State Department, Telegram 18841, September 8, 1975, 1975BANGKO18841, Central Foreign Policy Files, 1973- 79/Electronic Telegrams, RG 59.

this pressure from allies and undertaken actions intended to reassure them of an ability and willingness to act absent congressional approval, including demonstrative unilateral actions, broad statements of unilateral presidential power, and tripwire deployments that help bolster the president's legal authority to respond militarily without formal congressional authorization.

Summary of Findings			
<i>Era</i>	<i>Treaty</i>	<i>U.S. Allies</i>	<i>U.S. Admin.</i>
Treaty Formation Era (late 1940s-50s)	NATO	Strongly seek “automatic” commitment; view congressional role as undermining treaty.	Truman pushes back strongly against strict requirement of congressional approval, but concedes ambiguous “constitutional processes” language in order to secure ratification; defends Korea in part to demonstrate unilateral power to foreign audiences. Eisenhower admin. publicly declares it will intervene without waiting for Congress.
	“Pactomania” (ANZUS, U.S.-Philippines, U.S.-ROK, U.S.-ROC, SEATO)	Strongly seek “automatic” commitment; ask for reassurance president will act unilaterally.	Executive branch repeatedly utilizes creative legal arguments and tripwire deployments in order to reassure allies it will act unilaterally.
WPR Era (late 1960-late 1970s)	South Korea	Repeatedly asks for “constitutional processes” language to be removed from treaty; demands U.S. forces be put close to DMZ so that president will have constitutional authority to respond unilaterally.	Executive branch reassures ROK government president will respond unilaterally; points to U.S. troop deployments as giving president unilateral power; consciously utilizes <i>Mayaguez</i> incident as demonstration of president not being “hamstrung” by WPR.
	Philippines	Repeatedly asks for more “automatic” commitment; worried about impact of WPR; specifically asks for U.S. troop deployments as “tripwire” to justify unilateral action by president.	Executive branch attempts to reassure Manila that WPR would have little effect, and to compensate materially for perceptions otherwise.
	Thailand	Repeatedly asks for “constitutional processes” language to be removed from treaty; realigns after concluding that president is constrained legally by Congress (extra barrier of Case-Church Amendment).	Executive branch attempts to point to moderate U.S. military presence in Thailand and other executive actions.

The foregoing evidence suggests that a critical element in American reassurance of its allies is an image of an imperial presidency ready, willing, and able to use force unilaterally. While

Congress has recently sought to impose checks on the president's power to withdraw from alliance commitments (Anderson 2024), when it comes to the most high-profile presidential power of all—the power to make war—allies greatly prefer weak legal checks on presidential action.

Contemporary Applicability:

One might wonder whether lessons derived from an empirical analysis of the Cold War still broadly hold today. In particular, we consider two factors that might undermine the current applicability of lessons from that period: i) the decline of Senate-ratified treaties⁹⁰ over time, and ii) situations in which Congress appears more supportive of allies than the president. We do not believe that either of these factors substantially diminishes the applicability of our argument to contemporary or future alliance reassurance.

First, although there has been a sharp decline in Senate-ratified treaties over time—and the use of executive agreements has grown—the fact remains that all formal U.S. defense pacts in the world today exist under Senate-ratified treaties that lack expiration dates (NATO, as well as treaties with Japan, South Korea, Australia, and the Philippines, for example).⁹¹ Whether or not future international agreements are made as Senate-ratified treaties, these existing pacts in Europe and Asia will likely remain core American commitments well into the future. The Senate jealously guards its prerogatives in this area (Krutz and Peake 2011), and all new NATO accessions, including those in recent years, have gone through formal Senate approval.⁹² When President Biden pursued a possible security guarantee for Saudi Arabia, it was generally assumed that the Senate would need to formally approve it. While better left for future research, it seems intuitive that even partners that lack a formal treaty commitment with the U.S. (e.g., Israel or Taiwan) would similarly prefer a president be legally-unconstrained from coming to their aid instantly and unilaterally. Indeed, because future protégés may already have reason to doubt the credibility of an American commitment absent the costly-signaling of Senate ratification (Martin 2005), they may be even more sensitive to legal checks on presidential action.

Second, one might reasonably point out that our case evidence is primarily focused on periods in which the executive branch was generally more supportive of defending allies than Congress, whereas the current president (Trump) has publicly raised questions of his own commitment to allies while Congress has in some recent years been the branch trying harder to reassure allies. This role-reversal has been rare in the eight decades since WWII, although not without precedent. The Carter administration, for instance, faced substantial opposition in Congress

⁹⁰ Although this term is commonly used, technically the Senate does not ratify treaties. Rather, under Article II of the Constitution, it provides advice and consent by a two-thirds supermajority, whereupon the president ratifies the agreement.

⁹¹ The arguable exceptions are U.S. commitments to Israel and Taiwan (Beckley 2015). Neither of these relationships actually involves a formal alliance treaty that commits the U.S. to intervention, however, and thus these are not formal defense pacts.

⁹² Moreover, while many have bemoaned growing polarization in Congress, bipartisanship in foreign policy remains more common than generally appreciated (Tama 2023), and alliances have been one particular area in which bipartisan support seemingly remains (Friedman 2024).

toward its plans to withdraw troops from South Korea and to terminate the mutual defense treaty with Taiwan.

Even in the current uncommon situation, though, we would expect our argument to generally hold, because allies do not want even an alliance-skeptic president facing legal hurdles to intervene on their behalf. Or, in other words, whereas allies may dislike the current president's imperial tendencies in areas like international trade or immigration, they will likely still prefer that the president retain broad unilateral powers specifically in the area of military force. This follows from our theory presented above. Indeed, allies' heightened worries about whether the president will follow through on defense commitments in the event of crises probably makes them especially sensitive to adding in Congress as an *additional*, legally-required veto player to the initiation of U.S. action on their behalf.⁹³ There is some historical evidence from the Carter years to support that proposition. It was during that period that many allies were pressing the White House to assert its willingness to act unilaterally in the war initiation context (e.g., the Philippines, as discussed above). While Seoul was fighting U.S. troop withdrawal plans proposed by the Carter Administration in early 1977, it was at the exact same time requesting of the White House that "the War Powers Act or the Mutual Security Treaty be amended to authorize automatic U.S. involvement in case of a conflict."⁹⁴ Even when facing a Congress more supportive of the alliance than the executive, allies are wary of any requirement for U.S. congressional approval of American intervention.

Many legislators have recently recognized this logic. The vast majority of Senators who supported a measure prohibiting NATO-withdrawal without congressional approval (Anderson 2024) also opposed a measure that would have implied congressional authorization was needed before a president could act to defend NATO allies.⁹⁵ In voting down this latter proposal, for example, Senator Mitt Romney argued that it would make the U.S. "appear to be going wobbly" on NATO, and the chairman of the Senate Foreign Relations Committee characterized such talk as akin to "gutting the core commitment" of the defense pact.⁹⁶ In other words, these lawmakers recognized that perceptions of a presidency able to act unilaterally remains an important element for alliance reassurance even in situations in which lawmakers are more supportive of allies than the executive.

Implications:

Our argument—that in their own security policy-making, allies are attuned to the allocation of constitutional war powers within the U.S. government—has several significant academic and policy-relevant implications. First, a finding that allies effectively demand weak legal checks on the

⁹³ If anything, one might be concerned that an alliance-skeptic president would use a purported lack of legal authority as an excuse to avoid assisting allies.

⁹⁴ Embassy Seoul to State Department, Telegram 06011, July 19, 1977, 1977SEOUL06011, Central Foreign Policy Files, 1973- 79/Electronic Telegrams, RG 59.

⁹⁵ Mychael Schnell, "Senate Defeats Rand Paul Amendment to NATO Resolution Clarifying War Powers," *The Hill*, August 3, 2022.

⁹⁶ U.S. Congress. 2022. Congressional Record: Proceedings and Debates of the 117th Congress, Second Session. Vol. 168, no. 130 (August 3).

American president's power to make war contributes to understanding of the post-WWII emergence of an imperial presidency in the first place. It is well-recognized that presidential claims to expansive war powers became especially prominent after 1945. Existing explanations of this phenomenon tend to emphasize Cold War stakes and geopolitics, the advent of nuclear weapons, and the establishment of a large post-WWII standing army (Ely 1995; Schlesinger 1973; Wills 2010). Our theory suggests that the proliferation in American alliance obligations starting in the late 1940s adds another, complementary explanation for this phenomenon.

Second, our theory helps to refine the explanatory logic of tripwires in alliance reassurance. Several recent works have called into doubt the conventional rationale of tripwires (Blankenship and Lin-Greenberg 2022; Musgrave and Ward 2023; Reiter and Poast 2021), namely that tripwires are hands-tying mechanisms that create "strong domestic pressure for further military intervention by the country whose troops have come under attack" (Musgrave and Ward 2023, pg. 1). Our explanation provides an alternative logic: allied leaders have thought that the presence of troops made a U.S. response more likely because it strengthened the president's constitutional hand to act unilaterally.⁹⁷ Presidential administrations directly fed this perception in foreign capitals. The presence of American forces did not just make congressional and popular support for war more likely (the logic these studies have assumed); it made such support less relevant. Although this point has been neglected in recent scholarship, it was noted by legal scholars during the crafting of war powers legislation in the 1970s,⁹⁸ and frequently seen in the communications between allies and the executive branch in the cases above.

Third, our theory has direct implications for contemporary debates over war powers reform. There have been many renewed calls to rein in an imperial presidency via legislation with more bite than the WPR, which has been continually watered-down since 1973. Recent proposals to revise the legal architecture of war powers often emphasize, for example, amending the WPR to insert broader and clearer definitions of what military operations require affirmative congressional votes and/or to add automatic funding cut-offs without such votes. Such calls will likely increase in the near term, as many political leaders and commentators worry over the perceived recklessness of the current president. Our findings, however, suggest that allies would likely oppose stronger legislative checks on presidential war-making—even if they might welcome them in other areas, like tariffs—especially in the long term. Our findings show that much of the impetus to weaken the WPR in the first place was precisely in order to reassure allies, and that pattern may recur if Congress tries again to legislatively rein in presidential power to use military force. Insufficient political and intellectual energy has been spent on how legal reform proposals might inadvertently undermine the credibility of U.S. alliance commitments. We expect that more dedicated attention to

⁹⁷ Much recent work has assumed that "tripwire deterrence depends on the logic of hands-tying" (Musgrave and Ward 2023, pg. 4), but this is not true: such deployments can serve as incentive-rearranging mechanism that affects the other side of the credibility constraint: lowering the cost of following through on a threat rather than increasing the cost of backing down (Hulme 2025; Slantchev 2011).

⁹⁸ See, e.g., Alexander M. Bickel, testimony, *War Powers Legislation*, Committee on Foreign Relations, United States Senate, 92nd Congress, 1st Session, July 26, 1971, Washington, D.C., 572.

this consideration will reveal the impracticality of many otherwise popular proposals from those who also support strong alliances.

More broadly, our findings imply that ideal-type grand strategies that emphasize the importance of strong alliance commitments—for example, deep engagement⁹⁹ or liberal internationalism¹⁰⁰—are in underappreciated ways in tension with a legally restrained executive.¹⁰¹ The opening epigraph demonstrated this recognition by a key architect of post-war grand strategy: namely, that American alliances could not be sustained absent foreign perceptions of an American president willing and able to act unilaterally.

In other words, our theory suggests that for the post-war grand strategy reliant on strong alliances, an image of an imperial presidency has been a key feature, not a bug. While existing literature argues that democratic institutional constraints increase the credibility of alliance commitments,¹⁰² in the war powers context specifically, a belief in an *unconstrained* presidency is crucial to American credibility. Reassuring democratic allies abroad, ironically, greatly depends on a belief that the American presidency is willing and able to push the bounds of democratic constraint at home.

⁹⁹ Beckley (2015); Brooks and Wohlforth (2016).

¹⁰⁰ Ikenberry and Slaughter (2006); Ikenberry (2011).

¹⁰¹ A grand strategy less focused on alliances—for example, restraint (Gholz, Press, and Sapolsky 1997; Posen 2015)—would seemingly put less “imperial” pressure on the presidency.

¹⁰² Chiba, Johnson, and Leeds (2015); Leeds (2003).

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