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Congress and policy change: The case of Angola

Speakman, June Sager, Ph.D.

City University of New York, 1994

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CONGRESS AND POLICY CHANGE: THE CASE OF ANGOLA

by

JUNE SAGER SPEAKMAN

A dissertation submitted to the Graduate Faculty in
Political Science in partial fulfillment of the requirements
for the degree of Doctor of Philosophy, The City University
of New York

1994

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This manuscript has been read and accepted by the Graduate Faculty in Political Science in satisfaction of the dissertation requirement for the degree of Doctor of Philosophy.

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Abstract

CONGRESS AND POLICY CHANGE: THE CASE OF ANGOLA

by

June Sager Speakman

Adviser: Professor John Mollenkopf

This dissertation is an analysis of congressional decision-making regarding Angola between 1975 and 1985. Using a levels-of-analysis approach, the author examines the environmental, institutional, and individual factors that contributed to the 1975 enactment of the Clark Amendment that prohibited U.S. assistance to anti-communist rebels in Angola. The second half of the dissertation is analysis of how changes in these factors--the international context, presidential activity, interest group pressures, partisan and ideological balance in Congress, issue leadership, public opinion, media attention--during the decade created the conditions that made policy reversal possible, in the form of the 1985 repeal of the Clark Amendment.

Acknowledgments

This dissertation has been a long time in the making, and has received the help and support of a number of people along the way. I am grateful to my adviser John Mollenkopf for bearing with me despite his reservations about the topic. John's occasional pep talks and that final firm scolding kept me moving, albeit it painfully slowly, to the end. Our many e-mail conversations during the last few weeks of writing were especially valuable, and occasionally inspirational.

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I interviewed dozens of people for this project, some of whom spoke off-the-record. The interviews are my richest materials. I thank those who were so generous with their time and insights.

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The Government Department at Claremont McKenna College and the Politics Department at Pomona College provided institutional support in the form of computer time, postage, photocopying, and so on. I am grateful to several Pomona students--Troy Montoya, Aaron Harrison, Gillian Ross and Kieu Quan--who helped me get the final draft together and on its way from California to New York. Vanessa Bragg of the Pomona Politics Department provided moral support and a clear head when I was on the verge of panic near the end.

The students in the Pomona College Public Policy Program threw a party for me when I finished that surprised me and made me cry. I thank them all for that.

Finally, I thank my sons, Jason and Adam. Because of them, this project took years longer than it should have. But there is no substitute for sharing the unconditional love of a baby, the utter joy of a two-year-old at the beach; the jubilation of a six-year-old on the baseball field, or the pride of a child who reads his first word. I could have finished sooner and missed all that, but I chose not to. I regret not a thing.

By my side during all of this has been my husband Jay to whom I dedicate this work. Before we both became too busy raising the boys and he became immersed in his own writing, we talked a lot about this project and I am grateful for his intellectual guidance. More important, though, he has been my partner in this life we have been trying to lead with two unfinished dissertations hanging over us. Now they are finished. Let's go to Disneyland!

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CHAPTER 1

DECISION-MAKING AND POLICY CHANGE IN THE UNITED STATES CONGRESS

An observer of Congressional foreign policy-making in the summer of 1985 was moved to say that "the House floor debates [that summer] provided the absorbing spectacle of minds being changed, of national policy actually being made before the public's eyes."¹ In June and July of that year, Congress voted to remove restraints on American involvement in conflicts in Nicaragua, Cambodia, Angola and Afghanistan. In the months that followed, Congress appropriated some mixture of military, economic and humanitarian assistance to anticommunist resistance movements in all four countries. These actions represent a clear and public policy shift by the United States Congress. This dissertation is an analysis of the factors that caused that shift in one of these cases--Angola.

The specific action taken by Congress in the summer of 1985 was to repeal the Clark Amendment, a 1975 provision that banned the expenditure of any government funds to support anti-communist rebels in Angola. The House and Senate had considered the question of repeal in 1981 and rejected the idea. Why? And why did Congress change "its" mind on this question in 1985?

In brief, Congress shifted its policy on Angola in

¹Stephen S. Rosenfeld, "The Guns of July" Foreign Affairs Vol. 64, No.4(Spring 1986):706.

response to changes in: the international environment, the signals sent by interest groups, constituents, the press and the president, the internal congressional power structure, and the particular individual members who were actively involved with the issue.

While this may seem to be, and to some extent is, a laundry-list approach to political analysis, it is possible--through systematic examination of the interplay between the factors on the list--to find some kind of method in what often appears to be the madness of congressional decision-making. To do this, I will employ an analytical framework borrowed from international relations theory, that is, the levels-of-analysis approach. Applied to congressional research, the three levels are the individual member, the institution, and the external environment.² Elements of each level are changing all the time--members are retiring or losing their seats, the partisan balance in the chambers is shifting, policy issues are being redefined--but policy usually does not change, or changes only incrementally. When it does change, it is usually the result of changes at all three levels.

In the Angola case, a certain combination of factors at all three levels created the climate that permitted the

²J. David Singer introduced this framework to international relations theory, using the individual, the nation-state and the international system in "The Level of Analysis Problem in International Relations," World Politics, vol. 14 (October 1961):77-92.

enactment of the Clark Amendment in 1975. This legislative process is the subject of Chapter 2. The individual, institutional and environmental factors that determined the outcome of the process are discussed in Chapters 3 through 5. By 1981, significant shifts had occurred at the environmental level with the Soviet invasion of Afghanistan and the election of a Republican president, and at the institutional level with the election of a Republican Senate majority and a shift to the right in the rank-and-file. Still, a proposal to repeal the Clark Amendment was defeated in that year, in large measure because of resistance by individual activist members of Congress and weak signals from voters, interest groups, and to some extent, the President. This analysis is presented in Chapters 6 and 7.

By 1985, reinforcing shifts in the international environment combined with leadership shifts in the House and Senate, the election of a sufficient number of more conservative members, concentrated rhetorical leadership from the President, and a different constellation of activist members and interest groups converged to create a decision climate conducive to policy change. This process is analyzed in Chapters 8, 9, and 10.

Some scholars have argued that such attempts to find the logic behind congressional foreign policy decisions are doomed to fail. Former Colorado Senator Gary Hart, for example, writes:

To the outside observer, Congress' approach to foreign policy issues seems more chaotic than creative. Even the member familiar with the labyrinth of formal and informal congressional procedures often comes to feel that a given congressional action is more the product of the chance combination of unrelated factors than of well-considered actions aiming at a clearly perceived goal.³

My argument is that while the Angola decisions may have been something less than "well-considered actions aiming at a clearly perceived goal," they were considerably more than a "chance combination of unrelated factors." At each decision point, a number of individual, institutional, and environmental variables combined to explain the decision or non-decision. Even dramatic change in one variable may not stimulate policy change until change occurs at the other levels.

This theoretical framework does not, and cannot, predict the precise combination of factors that will provoke policy change in any given case. It does, however, allow for the organized analysis of the large number of variables that determine congressional policy. And it supports the conclusion that policy outputs of Congress are usually not simply the results of coincidence or chaos or of pandering to voters or service to interest groups. They are, rather, the result of the complex interaction of a large number of

³Cited in Thomas Franck, ed. The Tethered Presidency (New York: New York University Press, 1981):227.

individual, institutional, and environmental factors.⁴

Methodological Approach: The Case Study

This dissertation is a detailed analysis of congressional decision-making on a single question: should the United States provide aid to anti-communist rebels in Angola? Studies of single issues have often been criticized for "their idiosyncratic nature, their lack of utility for theory-building purposes, and their descriptive rather than analytical orientation."⁵ Wirt and Kirst charge that the case study is not "scholarship but vanity; it performs a function for one's vita that a filler about a six-legged dog does at the bottom of a newspaper column."⁶ In his review of Bauer, Poole, and Dexter's American Business and Public Policy, Lowi notes that all case studies suffer from "one debilitating handicap...the problem of uniqueness."⁷

⁴For a brief historical overview of theories of congressional decision-making, see David Kozak, Contexts of Congressional Behavior (Lanham, MD: University Press of America, 1984):Ch. 1. For a bibliography of works in this area see Robert U. Goehlert and John R. Sayre, The United States Congress: A Bibliography (New York: Free Press, 1982):141-163. For a comprehensive literature review, see Gerhard Loewenberg, Samuel C. Patterson and Malcolm E. Jewell, Handbook of Legislative Research (Cambridge: Harvard University Press, 1985).

⁵Norman C. Thomas, "Case Studies," in George C. Edwards III and Stephen J. Wayne, Studying the Presidency (Knoxville: University of Tennessee Press, 1983):50.

⁶Cited in Thomas, p. 50. The citation is Frederick M. Wirt and Michael W. Kirst, The Political Web of American Schools (Boston: Little, Brown, 1972):1-3.

⁷Theodore J. Lowi, "Public Policy, Case-studies and Political Theory," World Politics 16(1964):686.

I align with those who find that case studies, done well, can contribute to the understanding of political phenomena. Thomas reviews a number of case studies, particularly of foreign policy decisions, that make theoretical contributions because they "treat substantive policy as the dependent variable and seek to identify and assess the impact of independent variables."⁸ Thomas notes in particular Paige's study of the 1950 decision to intervene in Korea, which "goes far beyond describing what happened to an analysis of why it happened and a consideration of so what?"⁹ Goldsmith and Boo urge political scientists (who, in their view, consider the case study to be "a poor relation"¹⁰) to rescue themselves from "the dreary quantification and abstraction that have befogged [the discipline]."¹¹ In their view,

Case studies drive home, the way mathematical modeling cannot, the complex interplay between personality and institutional culture that shapes politics and drives human events.¹²

My analysis of the Angola cases seeks to avoid the pitfalls noted by the critics of case studies, and follows

⁸Thomas, p. 57.

⁹Thomas, p. 65. The citation for the Paige study is Glenn D. Paige, The Korean Decision (New York: Free Press, 1968).

¹⁰Suzanne Goldsmith and Katherine Boo, "The Case for the Case Study," The Washington Monthly, June 1989, 18.

¹¹Goldsmith and Boo, 19.

¹²*Ibid.*

the advice of the proponents in several ways. First, although Angola is a single issue, several distinct congressional votes on that issue can be analyzed, allowing for comparison over time. Second, although I have generated a considerable amount of descriptive material here, I have tried to use it to support the analysis, not to replace it. And, the descriptive material provides a depth to the analysis that a larger sample of cases would not allow. The study meets Thomas's criterion for theory-building in that it treats Angola policy as the dependent variable and environmental, institutional and individual factors as the independent variables that shape that policy.

The Angola case is just one example, really, of how this process works. Substitute the Vietnam War, the invasion of Kuwait, the North American Free Trade Agreement, Somalia or Bosnia, and the framework developed here would still work as an analytical tool. Also, this study should satisfy Goldsmith and Boo's complaint that political scientists, in their drive to build theory, often fail to see (or at least fail to write about) the complex richness of political activity.

Finally, this analysis does not suffer from what Schneier calls a "neo-Copernican" bias.¹³ Many, if not most, legislative case studies are written by former

¹³Telephone conversation between the author and Professor Edward Schneier, January 1994.

congressional staffers who participated in the legislative drama they describe. While this perspective permits day-to-day, close-up observation, it is often not objective analysis. These participant-observers tend to have an inflated sense of their own importance in the story and thus fail to describe central elements of the legislative process. For example, Eric Redman, in The Dance of Legislation, leaves the impression that his boss, Senator Warren Magnuson, and by definition Redman himself, were the key actors in the legislative process that created the public health service corps. In reality, the most important action on this measure took place in the House.¹⁴ Case studies done by non-participants lack the intimate details of studies like Redman's, but have the detachment and breadth of view that come with distance from the subject of inquiry.

The Angola case study also serves one of the functions of all case studies in that it describes and analyzes events that have not been systematically described elsewhere. In their book, Foreign and Defense Policy in Congress, Ripley and Lindsay note that "Despite abundant evidence of [the resurgence of congressional foreign policy activism], scholars interested in foreign and defense policy-making

¹⁴I am grateful to Professor Edward Schneier of City College for this example. See Eric Redman, The Dance of Legislation (New York: Simon and Shuster, 1973).

continue to pay relatively little attention to Congress."¹⁵ This is certainly true of the Angola case. Although others have written on the Angolan Civil War and on President Ford's decision to provide aid to the rebels¹⁶, relatively little research has been done on the congressional side of the policy debate. Many of the policy-makers interviewed for this study, including Senators Tunney and Clark (two of the principal actors in 1975 and 1976) noted that this was the first time they had been questioned by an academic about their role in Angola policy-making.

Angola as a Case

Exploration of new ground is one of the justifications for selecting Angola as the subject of study. In addition, the Angola decisions have the virtue, as noted above, of providing a view over time. Aid to Angolan rebels was the subject of congressional consideration several times between 1975 and 1985. Each time, Congress behaved differently, sometimes marginally so, sometimes dramatically so. Arnold argues that an important test of any theory of congressional decision-making is that it "explain[s] not only why Congress pursues one course of action, but why it sometimes switches

¹⁵Randall B. Ripley and James M. Lindsay, "Foreign and Defense Policy in Congress: An Overview and Preview," in Randall B. Ripley and James M. Lindsay, Congress Resurgent: Foreign and Defense Policy on Capitol Hill (Ann Arbor: The University of Michigan Press, 1993):6.

¹⁶See Chapters 2 and 3 for sources.

directions...."¹⁷ The three Angola decisions studied here--the imposition of the Clark Amendment in 1975, the failed repeal attempt in 1981 and the successful repeal in 1985--provide an excellent opportunity to watch Congress as it switches, or consciously chooses not to switch, directions. The framework used to study these decisions indicates the necessary and sufficient factors that must be in place for such a switch to occur.

Literature Review

The remainder of this chapter contains a literature-based outline of the levels-of-analysis framework that guides the examination of congressional decision-making on Angola between 1975 and 1985.

Individual Level Variables

Individual level variables are those that explain congressional behavior by reference to the characteristics or actions particular members of Congress. In a 1983 essay, Richard Fenno notes that political scientists have often left the study of individual legislators to journalists, and focused their efforts on the manipulation of aggregate statistical data as the primary analytical tool for the study of Congress.¹⁸ Even before this observation,

¹⁷R. Douglas Arnold, The Logic of Congressional Action (New Haven: Yale University Press, 1990):15.

¹⁸Richard F. Fenno, Jr., "What's He Like, What's She Like? What are They Like?" in Dennis Hale, ed. United States Congress (New Brunswick, NJ: Transaction Books, 1983):110.

however, a number of scholars, Fenno included, had begun to study individual members, on the assumption that such study might reveal something about both legislators' behavior and legislative outcomes. Through participant-observation and extensive interviewing, these observers concluded that, in Fenno's words, "the desires, goals and abilities of individual members can be important in legislative politics."¹⁹

Change in Issue Leaders

A number of case studies (including several by Fenno) clearly show that without particular members, legislative battles would have ended differently, or not taken place at all.²⁰ Birnbaum and Murray, for example, show clearly that without Representative Dan Rostenkowski (D-IL), the Tax Reform Act of 1986 would never have come to pass.²¹ Fenno demonstrates that Senator Dan Quayle (R-IN) was the key player in the design and passage of the Jobs Training

¹⁹Ibid., 111.

²⁰In addition to the two cited in the text, see for example, Loch K. Johnson, A Season of Inquiry: Congress and Intelligence (Chicago: Dorsey Press, 1988); T.R.Reid, Congressional Odyssey (San Francisco: W.H. Freeman, 1980); Richard F. Fenno, Jr., The Emergence of a Senate Leader: Pete Domenici and the Reagan Budget. (Washington D.C.: CQ Press, 1991); and Fenno, Learning to Legislate: the Senate Education of Arlen Specter (Washington, D.C.:CQ Press, 1991).

²¹Jeffrey H. Birnbaum and Alan S. Murray, Showdown at Gucci Gulch (New York: Vintage Books, 1987):passim.

Partnership Act of 1982.²²

The policy positions and legislative actions of a small number of congressmembers reverberate throughout the institution through the process of cue-giving noted by Matthews and Stimson:

...when a member is confronted with the necessity of casting a roll call vote on a complex issue about which he knows very little, he searches for cues provided by trusted colleagues, who...have more information than he does and with whom he would probably agree if he had the time and information to make an independent decision.²³

Policy decisions made by a relative handful of members are informally diffused to the entire membership who in turn adopt these ideas as their own.²⁴

Foreign policy decisions in particular can be heavily influenced by the actions of just a few members, given that many members have relatively low interest in and low information about foreign policy. In their book on Congress and defense policy, Feld and Wildgen observe that votes on the defense budget are influenced by

a relatively small number of senators and representatives who have gained a reputation for having carefully studied the problem and have

²²Richard F. Fenno, Jr. The Making of A Senator: Dan Quayle (Washington, D.C.: 1989):passim.

²³Donald Matthews and James Stimson, Yeas and Nays: Normal Decision-making in the United States House of Representatives (New York: John Wiley and Sons, 1975):45.

²⁴Ibid., 151.

become acknowledged experts in their field.²⁵

The influence on policy wielded by a few attentive individuals increased with the internal congressional reforms of the 1970s and the relative decline of executive primacy in the post-Watergate, post-Vietnam world.²⁶ Franck and Weisband have noted the emergence of foreign policy "mavericks" in Congress--individuals not tied to traditional power structures, with policy ideas of their own, who were able to use their expertise and congressional procedures to see their ideas become law.²⁷

Paula Stern's study of the Jackson-Vanik amendment (that tied favorable trade status for the Soviet Union to increased levels of Jewish emigration) provides support for the notion that individual members are an important variable in the decision equation. Stern's analysis leads her to conclude that without Jackson the issue would never have made it to the congressional agenda, much less been enacted as law.²⁸

The Angola cases studied here are consistent with the

²⁵Werner J. Feld and John K. Wildgen, Congress and National Defense: The Politics of the Unthinkable (New York: Praeger, 1985):40.

²⁶Both of these changes will be discussed in detail later in this chapter.

²⁷Thomas M. Franck and Edward Weisband, Foreign Policy by Congress (New York: Oxford University Press, 1979): Chs. 1 and 9.

²⁸Paula Stern, Water's Edge: Domestic Politics and the Making of American Foreign Policy (Westport, CT: Greenwood Press, 1979):240.

proposition that individual legislators matter. There were several key members on both sides of the issue who were the acknowledged experts or issue activists on Angola--Dick Clark, John Tunney, Paul Tsongas, Steven Symms, and Nancy Kassebaum in the Senate, and Don Bonker, Michael Harrington, Claude Pepper, and Stephen Solarz in the House. An examination of the legislative process reveals that each of these members played a prominent role in some part of the story and had an impact on either the enactment or the repeal of the aid ban. But the particular individuals interested and active in 1975 were different from those interested and active in 1985. As Hall notes,

legislative authority over a particular issue is exercised by a small group of legislative players...But...the size and composition of this group changes with the issue and the distribution of influence is determined less by formal bestowal of authority than by the distribution of members' interests and their ability to pay the time and information costs associated with effective involvement in the issue at hand.²⁹

In 1975, those willing to pay the time and information costs supported an aid ban. Ten years later, the effort and attention were on the other side of the issue. These changes in members' interest in and commitment to the Angola issue are key components in the explanation of policy change.

Change in the Rank and File: Conversion and Turnover

²⁹Richard L. Hall, "Committee Decision Making in the Postreform Congress," in Lawrence C. Dodd and Bruce I. Oppenheimer, Congress Reconsidered, 4th edition (Washington, D.C.: CQ Press, 1990):216.

Obviously, a change in issue leadership is not sufficient to change policy unless enough of the rank and file is willing to follow the new leaders. Rank and file voting does shift over time, and sometimes enough to reverse prior decisions. Asher and Weisberg have observed that members may shift from support for an issue to opposition (the conversion effect) if "issue evolution" occurs.³⁰ Brady and Sinclair argue that "a change in the signals members receive from their constituencies can result in a change in voting behavior."³¹ There is a strong conversion effect, analyzed fully in later chapters, in the Angola cases. Forty to fifty opponents of aid to the rebels became supporters between 1975 and 1985; none moved the other way. The election of new members (the turnover effect) is a second obvious change in the rank and file that can influence the process of policy-making. Clausen writes, "The main impetus for changes in the overall policy posture comes in the new membership."³² According to Hinckley, Marginal changes in membership may give or

³⁰Herbert Asher and Herbert Weissberg, "Voting Change in Congress: Some Dynamic Perspectives on an Evolutionary Process" American Journal of Political Science 22(1978):397. Here, the authors define issue evolution as a "change in the meaning of an issue over time in response to new conditions in the external environment."

³¹David Brady and Barbara Sinclair, "Building Majorities for Policy Changes in the House of Representatives," Journal of Politics, Vol. 46(1984):1036.

³²Aage Clausen, How Congressmen Decide: A Policy Focus (New York: St. Martin's Press, 1973):231-2.

withhold critical votes needed for a program, alter a leader's base of support, or produce a new congressional mood.³³

The turnover, or membership replacement³⁴, effect was certainly at work in the Angola cases. Hundreds of new members were elected during the decade in question; for them, the center of gravity on Angola was generally to the right of the members they replaced.

The observation that policy on Angola changed because the individuals making that policy in 1975 either changed their minds or were replaced by others with a different view of the issue begs several questions. Why did the issue leadership shift? Why did members change their minds? Why did the voters send a different type of legislator to Congress? To these questions, Rieselbach answers,

Elected legislators make and alter policy in a political context defined both by forces outside Congress and by the structures and processes of the institution itself.³⁵

The institutional and environmental factors that comprise this political context are expressed, of course, through the members. The elements of what Kingdon calls a member's "field of forces" shape his or her decisions; as

³³Barbara Hinckley, Stability and Change in Congress, 3rd edition (New York: Harper and Row, 1983):287.

³⁴Brady and Sinclair, 1043.

³⁵Leroy N. Rieselbach, "Congress and Policy Change: Issues, Answers and Prospects." in Gerard C. Wright, Jr., Leroy N. Rieselbach and Lawrence C. Dodd, Congress and Policy Change (New York: Agathon Press, 1986):260.

these elements change, so do the decisions. As international dynamics change, for example, voters change their perceptions about the U.S. role in the world and place different demands on their legislators. As congressional rules change, certain members are empowered, while others lose influence; these shifts, in turn, reverberate through Congress as the systems of cue-taking and logrolling change. A new president, with a different policy agenda or partisan affiliation, can have a significant impact on the behavior of members of Congress. The remainder of this chapter is an examination of the impact of institutional and environmental changes on the decision-making behavior of Congress.

The Impact of Institutional Change on Policy-Making

Organizations are something more than the sum of the people within them. Quoting James Q. Wilson, Schneier and Gross write,

"Organization matters": neither the policy advocate nor the student of Congress can ignore the degree to which questions of form shape legislative strategies, tactics and outcomes.³⁶

The structure of the organization, both formal and informal, and the rules, both written and unwritten, by which it operates, remain as individual members come and go. These structures and rules in Congress channel and constrain member behavior and legislative outcomes. Changes in structures and rules can help determine which members become

³⁶Edward V. Schneier and Bertram Gross, Congress Today (New York: St. Martin's Press, 1993):173.

involved and influential, which issues make it to the agenda, and how smooth the legislative process will be.

Structure

According to Schneier and Gross, the "most visible and widely studied structures of power" in Congress are the committee system and the party leadership system.³⁷ Both play a role in influencing the voting behavior of individual members and both have an impact on the particular legislative path an issue takes. Changes in the role of either committees or the congressional party structure can, as shown below, influence the policy outputs of the legislative branch.

Committees

Committees have long been one of the primary structural characteristics of Congress, and the work of committees is almost always a central determinant of legislative outcomes. Carter notes the importance of the committee's position in this regard:

the strongest single variable [in predicting a legislative outcome] is the preferences of the congressional committee with primary jurisdiction for the matter.³⁸

According to Bax,

Many studies of Congress have shown that the actions of the parent chamber usually constitute a

³⁷Ibid., 175.

³⁸Ralph G. Carter, "Congressional Foreign Policy Behavior: Persistent Patterns of the Postwar Period," Presidential Studies Quarterly, XVI(Spring 1986):340.

ratification of decisions made at the committee level.³⁹

Because committee members play such a central role in the decision process, changes in the membership of a committee, or in its role in the decision process, may be an important piece of any explanation of policy change.

Prior to the 1970s, committee chairs were "almost omnipotent figures...in the legislative process."⁴⁰ The structural reforms of the 1970s, however, had as one of their central goals the weakening of the power of the chair. These reforms are a clear illustration of the ways in which structural change can influence policy outcomes.

The goal of the reforms was to "spread the action" in Congress by decentralizing power from the committee chairs to subcommittees and rank-and-file members. In the House, leadership selection processes were changed from ascent by seniority to election by the rank-and-file; the chair's power and discretion were limited by the Subcommittee Bill of Rights of 1973; leadership positions were spread throughout the House and Senate by limiting the number of chairs that could be held by a single member and by

³⁹Frans R. Bax, "The Legislative-Executive Relationship in Foreign Policy: New Partnership or Old Competition?" Orbis 20(Winter 1977):884.

⁴⁰Walter J. Oleszek, Congressional Procedures and the Policy Process, 3rd edition (Washington, DC: CQ Press, 1989):94.

guaranteeing subcommittee chairs to junior members.⁴¹ This decentralization placed almost 300 House members in the leadership as either chairs or ranking members of a committee or subcommittee.⁴² The result of this dispersion of authority, according to Randall Ripley is that

There are more subcommittees with more autonomy with more junior members having more influence than ever before. Full committees provide only minimal direction for the efforts of their subcommittees. Party leaders attempt almost no integration of their activities.⁴³

In the Senate, where power has always been less centralized than in the House, reforms have further "spread the action". For example, since 1953, the "Johnson rule" has required that all Senators get one major committee assignment before any member receives a second major assignment. In the 1970s, the Senate followed the House precedent by requiring that committee chairs be selected by the caucus rather than by seniority. As a consequence of the reforms, "every senator is either chairman of a committee or subcommittee or ranking minority member on one or the other."⁴⁴ According to Peabody, leadership is so

⁴¹For detailed discussions of the reforms of the 1970s, see Leroy N. Rieselbach, Congressional Reform in the Seventies (Morristown, NJ: General Learning Press, 1977):41-60; and Randall B. Ripley, Congress: Process and Policy, 4th ed., (New York: W.W. Norton, 1988):156-166.

⁴²Ross K. Baker, House and Senate (New York: W.W. Norton, 1989):88.

⁴³Ripley, 162.

⁴⁴Baker, 88. Emphasis mine.

decentralized in the Senate that "there is little reason to wonder at the lack of deference which even the lowliest freshman seems to accord to his party leaders."⁴⁵

The increasing decentralization and fragmentation of power in the legislature have implications for both domestic and foreign policy-making. According to Whalen, with seventeen standing committees and fifty-six subcommittees active in some aspect of foreign policy, "it is difficult, if not impossible, for Congress to develop a concept and orchestrate it into a cohesive plan of action."⁴⁶

As power has devolved from committee chairs and party leaders, the imprint of junior members, including non-committee members, on policy has deepened. The Tunney amendment on Angola is a classic example of a case where the committee chair with jurisdiction was largely irrelevant to the legislative outcome. In Whalen's view, this has resulted in a number of significant policy errors⁴⁷ that were

⁴⁵Robert L. Peabody, Leadership in Congress (Boston: Little, Brown, 1976):346-347. The structural dispersion of power and consequent weakness of leadership in Congress are exacerbated by a number of other factors unrelated to structure. The growth of staff, the weakness of American political parties, the rise of political action committees as sources of money and information, and the increased importance of television as a campaign tool have all made individual members better able to run for re-election and to do legislative work without the help of chamber leaders.

⁴⁶Charles Whalen, The House and Foreign Policy: the Irony of Congressional Reform (Chapel Hill: University of North Carolina Press, 1982):81.

⁴⁷Among the errors, Whalen includes: cut-off of funding for the Vietnam War, the placing of conditions on American contributions to international financial institutions, the Tunney amendment, the

opposed by the executive branch, did not originate in committees with foreign policy expertise, were initiated on the House floor, and evoked both national editorial opposition and censure motions by several international organizations.⁴⁸

Policy instability also accompanies this decentralization of decision authority. The individualism of members and the weakening of the congressional norm of deference to committees means that decisions made in committee are not automatically accepted by non-committee members; coalitions must be built and compromises made. The weakness of central authority opens the legislature to influence by other power centers, especially interest groups, and dramatically increases the potential influence that junior members, congressional staffers, and informal temporary coalitions of members may have on policy.⁴⁹

McCormick also notes that the reforms of the 1970s have enhanced the influence of the liberal members of the committees.

Subcommittee chairs....tended to be some of the most liberal members of the committees....These individuals and their subcommittees have been generally more activist and challenging to

near-defeat of President Carter's renegotiated Panama Canal treaties, and the imposition of human rights standards on the recipients of American foreign aid. See Whalen, Ch. 5.

⁴⁸Whalen, 127.

⁴⁹For discussions of some of these effects, see Oleszek, 15-16; Whalen, Ch. 4; and Rieselbach, 15-16.

executive policy than in earlier decades...There appears to be episodic evidence that the subcommittee chairs in particular are willing to pursue their beliefs in foreign policy matters.⁵⁰

Without the reforms of the 1970s, the Clark Amendment would probably never have been enacted. The initial proposal came from a first-term Senator with no committee connection to the issue. In the 1950s or 1960s, it is likely that such a proposal would have been nipped in the bud by a powerful committee chair. No committee or chamber leader played a significant role in any of the legislative battles over aid to the Angolan rebels. Once enacted, the policy remained on shaky ground because there was no committee chair or party leader committed to it, leaving new coalitions free to organize against it. The issue was controlled by subcommittee chairs and rank-and-file members. As such, it was an inherently unstable issue, susceptible to change.

The Role of Partisan Affiliation

Some have argued that the instability and irrationality fostered by structural decentralization is in some measure counteracted by the existence of partisan voting blocs in Congress. Political party is important on Capitol Hill. It is one of the primary correlates of member voting behavior and one of the main organizing principles governing the

⁵⁰James M. McCormick, "The House Foreign Affairs Committee in the 1970s and 1980s," Congress and the Presidency 12(Spring 1985):15.

distribution of power in Congress. According to Kingdon, "[D]espite the absence of the kind of party cohesion one finds in a parliamentary system, party differences in the U.S. Congress are still substantial."⁵¹ Roll call data show that party members are very likely to vote together on most issues.⁵² Congressional Quarterly Weekly's "party unity scores" indicate very strong party-line voting in Congress, even during the 1970s when such ties were said to be weak.⁵³ Given the importance of party, it is likely that changes in the partisan balance on the Hill, or in the partisan loyalty of members, will affect the legislative output of Congress.

Foreign policy votes have sometimes been seen as immune from party line voting. There was, according to some, a "bipartisan consensus" about American foreign policy after World War II.⁵⁴ Others, however, have found the notion of

⁵¹John W. Kingdon, Congressmen's Voting Decisions, 3rd ed. (Ann Arbor: University of Michigan Press, 1989):110.

⁵² Hinckley has identified four reasons why party members vote together: 1) party leaders actively request the support of party rank-and-file; 2) the president actively lobbies fellow partisans; 3) Republicans and Democrats usually represent different kinds of constituencies, and vote accordingly; and, 4) members take cues from colleagues of the same party. See Hinckley, pp. 204-5.

⁵³See Norman J. Ornstein, Thomas E. Mann, and Michael J. Malbin, Vital Statistics on Congress, 1991-92 (Washington, D.C.: CQ Press, 1992):199. Time-series data show that party unity dipped a bit in the 1970s, but recovered for both parties in the 1980s.

⁵⁴ The creation of NATO, the development of the Marshall Plan, the Korean War and the Tonkin Gulf Resolution approving American involvement in Vietnam are often cited as examples of executive initiatives that received widespread support from members of both

bipartisan consensus to be "almost pure fantasy."⁵⁵ Neustadt and May, for example, assert that the period [after World War II] was one of "bitter, partisan and utterly consensus-free debate."⁵⁶ The difference now is that partisan disagreements with the president are aired publicly, and that more members are in on the fight. But, there have always been distinct Republican and Democratic positions on foreign policy questions.

Ironically, these partisan differences were less clear in the mid-1970s, when members of both parties joined in bipartisan rejection of presidential foreign policy initiatives. After Vietnam, according to House Minority Leader John Rhodes (R-AZ):

Congress [got] used to kicking Presidents around, and they didn't care whose President it is.⁵⁷

Chapter 3 will show that the Angola votes in the mid-

parties. See Aaron Wildavsky, "The Two Presidencies," Trans-Action 4(December 1966):7-14. Wildavsky's thesis has been extensively reanalyzed, refuted, and resurrected. For various treatments of it see, Steven A. Shull, The Two Presidencies: A Quarter Century Assessment (Chicago: Nelson-Hall Publishers, 1991):passim.

⁵⁵Richard E. Neustadt and Ernest R. May, Thinking in Time: The Uses of History for Decision Makers (New York: Free Press, 1986): 258-259.

⁵⁶Ibid. On the "myth of bipartisanship", see also Randall B. Ripley, "Congressional Partisanship and Bipartisanship in U.S. Foreign Policy," in Louis W. Koenig, James C. Hsiung, and King-Yuh Chang, eds. Congress, the Presidency and the Taiwan Relations Act (New York: Praeger, 1985):Ch. 3, esp. pp. 66-67.

⁵⁷Cited in David Abshire, Foreign Policy Makers: President vs. Congress Washington Paper #66. (Beverly Hills: Sage Publications, 1981):27.

1970s are consistent with this trend of bipartisan anti-executive unity among Democrats and Republicans. This unity, however, was short-lived and was virtually eliminated by the Reagan presidency. Party is clearly part of an explanation for voting on Angola, but given the number of defections, even in times of relatively high party unity, other factors were plainly still at work to pull some individual members away from their party's position.

The Role of Staff

Among the institutional forces that influence congressional decision-making is the staff, although the nature and extent of this influence is debatable. In 1969, Kingdon found that members of Congress did not consider staff to be an important influence on their voting decisions.⁵⁸ In his 1979 update, Kingdon continued to maintain that "staff is not among the most prominent influences on floor voting decisions." He concluded that it would be "more fruitful to conceive of staff not as an influence on a member, but rather as an extension of a member."⁵⁹ But Malbin, in his study of congressional staff, observed that "staff can substantively affect every step in the legislative process," and quotes former Senator Dick Clark (D-IA), "There is no question about our

⁵⁸Kingdon, Ch. 7. Kingdon found that staff was an important influence on decision-making only 9 percent of the time, and of no importance 66 percent of the time (p. 201).

⁵⁹Ibid., 207-208.

[members'] enormous dependency and their [staff] influence. In all legislation, they're the ones that lay out the options."⁶⁰

While the question of the influence of staff may be debatable, the increase in staff size and visibility is not. Overall House staff grew from 2,441 in 1957 to 6,939 in 1976, reaching 7,569 by 1989. In the Senate, staff size was 1,115 in 1957, 3,251 in 1976, and 3,837 in 1989.⁶¹ According to Malbin, larger staffs improve the quantity and quality of information available to members and make it easier for members to be involved with more than one issue at a time.⁶² The enhanced decision-making capacity created by larger staffs coincided with, and deepened the effects of, the increased opportunities for policy influence that came with the reforms of the 1970s and affected all of the Angola decisions under study.

Larger staffs may not only have increased the decision-making capacity of Congress, but may also have pushed it in a particular direction. In their study of congressional foreign policymaking, Franck and Weisband refer to congressional staff as the "invisible third chamber," and conclude that larger staff exacerbate the liberal tendencies

⁶⁰Michael J. Malbin, Unelected Representatives New York: Basic Books, 1980):5.

⁶¹Norman J. Ornstein, et al., Vital Statistics on Congress, 1991-1992 (Washington, DC: CQ Press, 1991):126.

⁶²See Malbin, 241.

of the foreign policy committees⁶³ because staffers "tend to be activists who believe that social problems are tractable and can be handled best by government and law."⁶⁴

Johnson also finds considerable staff influence on foreign policy. In his study of the two foreign policy committees, he discovered that members themselves attribute such influence to staff. In fact, "one member speculated that the Senate Foreign Relations Committee turned against the Vietnam War because the Senate committee had a strong staff director who was opposed to the war...."⁶⁵ (Given that the Chair of the committee during the war was Sen. J. William Fulbright, one must interpret this statement as hyperbole.)

The Angola cases provide support for the assertion of staff influence. There is some evidence that Senator Tunney's interest in Angola may have been provoked by staff. The members who led the repeal movement were also heavily influenced by staff. Staff were actively involved during the entire life cycle of the Angola issue, in terms of getting and keeping the issue on the agenda and of shaping arguments for and against particular legislative positions. But Kingdon is right--staff really are extensions of

⁶³Franck and Weisband, Ch. 10.

⁶⁴Ibid., 237.

⁶⁵Johnson, 273. Stern also found staff to be very influential in the shaping of trade and immigration policy. See Stern, 24.

members. When the liberal members active in maintaining the Clark Amendment left the legislative arena, so did their staff. The members retired, or were retired by the voters, or turned their attention to other issues. The staff went to other offices, or disappeared into the Washington woodwork.

There were some staffers who worked vigilantly to maintain the Clark Amendment from their positions as committee or caucus staff. But without the concerted effort and focused attention of a Representative or Senator to act as a mouthpiece, these staffers had a difficult time making their voices heard.

Procedure

Congressional procedure brings some order to a decision process that is rendered disorderly by the decentralized power structure of the legislature. Walter Oleszek, the preeminent authority on congressional procedure, notes the ways in which congressional rules and procedures define the work product of the legislature:

Congressional procedures are employed to define, restrict, or expand the policy options available to members during floor debate. They may prevent consideration of certain issues or presage policy outcomes. Such structured procedures enhance the policy influence of certain members, committees or party leaders; facilitate expeditious treatment of issues; grant priority to some policy alternatives but not others; and determine, in general, the overall character of policy decisions.⁶⁶

⁶⁶Oleszek, 10.

To underscore the importance of procedural expertise, Oleszek quotes House Republican leader Robert Michel of Illinois:

Procedure hasn't simply become more important than substance--it has, through a strange alchemy, become the substance of our deliberations. Who rules House procedures rules the House--and to a great degree, rules the kind and scope of political debate in this country.⁶⁷

While this may be something of an overstatement, it is certainly the case that congressional rules determine the particular path legislation will take, the number of decision points through which it must pass, the extent to which it can be changed as it moves along, and the speed with which it will move. If a member of Congress can manipulate any one of these factors, he or she can affect the bill's likelihood of passage.

House procedures tend to encourage compromise and deal-making, as majority votes are needed to move legislation through House subcommittees, committees, the Rules Committee and onto the floor. Members who sponsor legislation must work to build a supportive coalition at each step of the process.

In the Senate, on the other hand, procedure tends to favor individual action and obstructionism. The lack of a Rules Committee, the fact that a single member (as opposed to a majority) can defeat the terms of debate for a

⁶⁷Oleszek, 11.

particular bill, the existence of the filibuster, the post-cloture filibuster and the hold⁶⁸ all work against the orderly and timely consideration of bills and enhance the ability of a single member to exact concessions from the bill's proponents.

Procedural manipulation did play a role in the enactment of the initial ban on aid to the Angolan rebels. Tunney, the initial Senate sponsor, selected his legislative vehicle strategically (he proposed an amendment to an appropriations bill as opposed to a free-standing resolution) and he timed his proposal well (at the end of the session). Both of these tactics increased the likelihood of success for Tunney. As Chapter 6 will show, procedure was not a factor in the repeal of Clark, and is not an important part of the explanation of policy change.

Institutional Factors in the 1970s

Congressional staff, rules and procedures, and structure can have considerable impact on legislative outcomes. In the 1970s and 1980s, all of these factors fostered an institutional environment that permitted, in fact even encouraged, policy change (or, more negatively,

⁶⁸A post-cloture filibuster occurs during the thirty hours of debate allowed by Senate rules once a cloture motion has passed. During this time, opponents stretch the thirty hours by asking for roll call votes, quorum calls and other delaying tactics. A hold is placed on a bill when a Senator makes an informal request to his or her party leader to delay floor consideration. See Walter J. Oleszek, "Legislative Procedures and Congressional Policy-making: A Bicameral Perspective," in Christopher J. Deering, ed., Congressional Politics (Chicago: Dorsey Press, 1989):186.

policy instability). The larger staff and decentralized power structures that emerged in the 1970s allowed members who wished to influence policy, or even propose policy change, to do so. The partisan balance, with its heavily Democratic and strongly anti-executive nature in the mid-1970s was fertile ground for a proposal like the Clark Amendment. Ten years later, with more Republicans and less animosity towards the executive, the proponents of repeal found a more receptive audience in Congress. The members were receptive not only because the balance of forces within Congress had changed, but also, and perhaps primarily, because the signals they received from outside the institution had changed dramatically since the mid-1970s.

Environmental Influences

It is, of course, fundamental to the nature of Congress that its members are subject to influences from outside the institution. Although the textbook definition of a Congressman is that he is the people's representative, we know that members are influenced by a number of other factors as they make policy, such as the president, the bureaucracy, the media, and interest groups, and by the changing nature of the issue as well.

Issue Transformation

The positions of members of Congress, and of the actors who seek to influence Congress, are not, of course, set in stone. If the nature of the issue is transformed, if the

tone and meaning of the policy question changes, then all of the interested parties must revisit the issue and reconsider their policy positions. If their positions remain the same in the face of an issue transformation, then their influence on the outcome of the policy debate may change as they begin to sound either more or less sensible to more or fewer people. When the issue is transformed, voices that once sounded reasonable begin to sound shrill or foolish; speech once no more than a whisper is now strong and confident. With Angola, the question changed from "Shall we commit American blood and treasure to yet another foreign war where the stakes are unclear?" to "Can we let the Soviets subjugate yet another country in their quest for world domination?" Liberals in Congress who stuck with their anti-interventionist view began to look naive; conservatives, who had always said that the U.S. should work to ensure that the right side prevailed, began to look prescient. The center of gravity of opinion shifted as the issue was redefined.

Many scholars have noted, with Lowi, that "policies determine politics," and that the way an issue is defined influences the location and process of decision-making in Congress and the individual calculations of members.⁶⁹

Wilson notes that the perceived distribution of the costs

⁶⁹Randall B. Ripley and Grace A. Franklin, Congress, the Bureaucracy, and Public Policy (Homewood, IL: Dorsey Press, 1984):27.

and benefits of a policy will influence both the process by which the decision is made and the type of decision that emerges. If this perceived distribution is redefined, the process and outcome will change.⁷⁰

In a similar vein, Schattschneider observed that changes in the "scope of conflict" (which can be engineered by "contestants" in a policy debate) might change policy outcomes regardless of the substantive questions.

Conflicts are frequently won or lost by the success that the contestants have in getting the audience involved in the fight or in excluding it, as the case may be.⁷¹

Southern blacks, for example, were unable to win civil rights victories as long as the conflict remained a local or regional one; once significant numbers of blacks moved north, and television began covering civil rights protests, race relations became a national problem, the audience was quantitatively larger, and qualitatively different, and the policy output changed.

This perspective draws attention to the importance of the policy question itself as a variable in the decision-making equation. If the issue has been transformed, the

⁷⁰James Q. Wilson, American Government: Institutions and Politics, 4th ed. (Lexington, MA: D.C. Heath and Co., 1989):429. This textbook provides the most comprehensive treatment of Wilson's typologies. See also, Wilson, ed., The Politics of Regulation (New York: Basic Books, 1980): 366-7; and Wilson, Political Organizations (New York: Basic Books, 1973):Ch. 16.

⁷¹E.E. Schattschneider, The Semisovereign People (New York: Holt, Rinehart and Winston, 1960):5

same policy question, asked of the same people at different times, can engender different, in fact opposite answers. This was certainly the case with Angola policy. Although the words of the Angola question were the same in 1975 and 1985, they were fraught with very different meaning because of the very different contexts in which they were asked. Chapters 5 and 9 contain detailed analyses of the important elements of that context and how they shifted over time.

The Role of the Public in Shaping Congressional Policy

As members of Congress were redefining the issue of aid to Angolan rebels in response to contextual changes, so too were the American people. Thus, Congress was moving towards a policy shift not only because it was seeing Angola in a new light, but also because the voices that Congress responds to were sending new signals.

The extent to which members actually listen to these signals from the people has always been a matter of much scholarly debate.⁷² Some research shows that they listen closely; others show they listen not at all. Some scholars conclude that members listen to domestic policy cues from their constituents, but are free agents on foreign policy. Others see an opposite, or more complex effect.

Mayhew finds that members do listen, but not to particular public commands. Rather, it is "public moods"

⁷²See the following paragraphs for citations supporting the various scholarly positions on this question.

that motivate and constrain policymakers' behavior. These moods, writes Mayhew, are

wispy phenomena that have unclear boundaries and fugitive causes...and drive political scientists to despair by being at once important and elusive.⁷³

Mayhew argues that the American political system is biased towards policy constancy. How then to explain when he calls "alternative variation", or policy change? Part of the answer is found in public opinion, which seems to operate on a sort of pro-government/anti-government cycle that is independent of the partisan affiliation of either the voters or the politicians they elect. The anti-Communist mood of the early 1950s, and the public preference for "moralism and protest, outrage and exposure, ideals and reform" in the 1960s and early 1970s are examples of such moods.⁷⁴ As we will see, there is considerable evidence to support the notion of a mood swing pushing congressional Angola policy in the early 1980s.

Mayhew notwithstanding, there remains in the literature significant debate about the extent to which members of Congress pay attention to what their constituents think, especially about foreign policy. In his critical study of

⁷³David R. Mayhew, Divided We Govern: Party Control, Lawmaking, and Investigations, 1946-1990 (New Haven: Yale University Press, 1992):160, 171.

⁷⁴Ibid, 145 and 173. The quote is Mayhew citing Samuel P. Huntington, American Politics: The Promise of Disharmony (Cambridge: Harvard University Press, 1981):196.

the House, Whalen found that "It is unpopular in my district" was the only consistent theme he heard when he asked members what motivated their foreign policy decisions.⁷⁵ From this he concluded that:

It is the instinct for [electoral] survival, rather than regard for our global aims, that demonstrates the voting considerations of many House members.⁷⁶

Other scholars have observed the opposite: that low levels of public knowledge of and attentiveness to foreign policy issues allow members greater freedom to vote on these issues without regard for constituent opinion.

Bauer, Poole, and Dexter, for example, found that, on foreign policy votes, members were essentially free of constituency pressure.⁷⁷ Miller and Stokes found that members were neither aware of nor in agreement with constituent opinion on foreign policy matters.⁷⁸ Johnson's interviews with members in 1973-4 produced this revealing comment from one member when asked what he heard from his constituents on foreign policy questions:

Not one thing. My district has 100,000 black Baptists, 400,000 white Baptists, seven Jews and

⁷⁵Whalen, 145.

⁷⁶Whalen, 128.

⁷⁷Raymond A. Bauer, Ithiel de Sola Pool, and Lewis Anthony Dexter, American Business and Public Policy (New York: Atherton, 1964).

⁷⁸Warren E. Miller and Donald E. Stokes,, "Constituency Influence in Congress," American Political Science Review 57(1963):45-56.

three Arabs, and I don't hear anything, except from the Jews--and that's just exactly the way I want it.⁷⁹

Fenno has found that members can vote contrary to the policy preferences of their constituents if they have an effective "home style" (i.e., a high profile in the district and well-developed constituency service on case work).⁸⁰

On the whole, the literature supports Russett's view that "the idealized vision of constituency representation is but distantly approached, especially on foreign policy issues."⁸¹

The Angola cases support this notion of disconnection between public policy and public opinion. As the poll data in Chapters 4 and 8 will show, the vast majority of Americans had no idea where Angola was or what the conflict there was about, and thus could not give specific guidance on the issue. But, consistent with Mayhew, there was strong evidence that members felt constrained by the general public attitude about involvement in foreign wars. We shall see that this opinion constraint set by the public changed its

⁷⁹Johnson, 195.

⁸⁰Richard Fenno, Home Style (Boston: Little, Brown, 1978). In a recent update of Fenno's work, Parker found that the 1980s brought an increased attentiveness to home style, and a consequent diminished congruence between members' legislative behavior and constituents' policy preferences. See Glenn R. Parker, Homeward Bound: Explaining Changes in Congressional Behavior (Pittsburgh: University of Pittsburgh Press, 1986).

⁸¹Bruce Russett, Controlling the Sword: The Democratic Governance of National Security (Cambridge, MA: Harvard University Press, 1990):98.

shape between 1975 and 1985, thus altering the parameters within which members decided, and providing a climate permissive of a policy shift.

The Role of the President

Presidential influence on congressional decisions is clear, but the extent of influence varies across issues, presidents and time. In 1956, Clinton Rossiter felt comfortable conferring on the president the role of "chief legislator," noting that the president plays a large role "guiding Congress in much of its law-making activity."⁸² Yet, Harold Laski, writing twenty years earlier than Rossiter, said

[The President] may initiate legislation; and he can be sure that a respectful attention will be given to his proposals. But he will always find that there are, in either house, perhaps half a dozen men with independent authority to promote legislation independently of him...[Members] do not act under the instructions of the president; they may cooperate with him if they feel so inclined. But they are...equal partners with him, and in the event of difference they, rather than he, are likely to have their way.⁸³

Laski's observations are supported by statistical data that show that while many major legislative initiatives do have their origins in the executive branch, the president's ability to get his priorities enacted unchanged is limited. And even this ability to initiate policy and control the

⁸²Clinton Rossiter, The American Presidency (New York: Mentor Books, 1960):26.

⁸³Harold J. Laski, The American Presidency, An Interpretation (New York: Harper and Brothers, 1940):113-114.

agenda is contingent on presidential skill. Light argues that presidents with political skill can focus congressional attention on the presidential agenda. For presidents without this "focusing skill," "legislative attention will drift elsewhere, leaving even the most popular president with little legislative success."⁸⁴ Others have noted the importance of skillful liaison, personality and favorable partisan balance in ensuring presidential success in Congress.⁸⁵

With regard to foreign policy, the president may be in a somewhat stronger position to achieve his goals in the legislature. In foreign policy matters, the president has greater constitutional authority, can marshall popular support, has direct operational control over the diplomatic, intelligence-gathering and military bureaucracies, and as Hamilton notes in Federalist #70, has the advantage of acting with "decision, activity, secrecy and dispatch."⁸⁶ Kenneth Sharpe argues that these attributes allow the president to create "an antecedent state of things" that

⁸⁴Paul C. Light, "The Focusing Skill and Presidential Influence of Congress," in Christopher J. Deering, ed., Congressional Politics (Chicago, IL: The Dorsey Press, 1989): 240.

⁸⁵See, for example, John P. Burke, "Presidential Influence and the Budget Process: A Comparative Process," in George C. Edwards, et al., The Presidency and Public Policy Making (Pittsburgh: University of Pittsburgh Press, 1985):72.

⁸⁶Alexander Hamilton, Federalist #70 in Clinton Rossiter, ed., The Federalist Papers, (New York: Mentor Books, 1962):424.

makes it difficult for Congress to act independently.⁸⁷ Even with the strengthening of Congressional foreign policy muscle in the post-Vietnam period, Sharpe argues that Congress generally lacks the will to challenge executive actions. Thus, most congressional foreign policy is simply acquiescing to executive faits accompli, or at best, marginal adjustments to presidential action.⁸⁸

There are others who see congressional foreign policymaking as substantively important and often independent of executive influence. Franck and Weisband, for example, assert:

Since the ending of the Vietnam War...an entire system of power has been overturned. The Presidency itself...has been the subject of a revolution that radically redistributed the power of government. In this revolution, the principal loser...[was]the President....Chief among the power gainers was the congressional rank-and-file.⁸⁹

According to this view, Congress has had a deep impact on American foreign policy with such actions as: bringing an end to the Vietnam War; cutting off aid to the government of Turkey and the anti-communist rebels in Angola; "recapturing" the war power through passage of the War Powers Act; applying restrictions to foreign and military

⁸⁷Kenneth E. Sharpe, "The Post-Vietnam Formula under Siege: The Imperial Presidency and Central America" Political Science Quarterly 102(1987):549-569, esp. 565.

⁸⁸Ibid, 565.

⁸⁹Franck and Weisband, 3.

aid and arms exports; "taming the intelligence community"; and strengthening senatorial involvement in the treaty process.⁹⁰ Franck and Weisband see this revolution as permanent. Many of the actions listed above were enacted into law, congressional information-gathering and analytic capabilities were enhanced, and staff sizes were increased--all of which point to an institutionalization of congressional involvement in the foreign policy process.

There are indications, however, that Congressional willingness to engage in independent foreign policymaking has diminished as memories of Vietnam and Watergate have faded. As post-Nixon presidents have become more skilled at respecting congressional sensibilities (for example, that Congress be fully informed about presidential intentions), a majority of members seem to be more than willing to acquiesce to presidential initiatives. While Congress may not be reverting to the style of the 1950s, when "Foreign Affairs Chairman Sol Bloom cared little what the President decided so long as he was informed fifteen minutes before the announcement,"⁹¹ there was some evidence by the early 1980s, that "while Congress still expects to be involved, it is a bit more realistic about the need for executive

⁹⁰Ibid., Chs. 3-7.

⁹¹John Rourke, Congress and the Presidency in U.S. Foreign Policy-making: A Study of Interaction and Influence, 1945-1982 (Boulder, CO: Westview Press, 1983): 229.

dominance."⁹²

Angola policy certainly fits this pattern. The Clark Amendment was enacted in 1975 at the peak of the anti-executive mood in Congress; it was repealed in 1985 in the midst of the more cautious and permissive period. As we shall see, the particular tactics and circumstances of the presidents involved--Ford in 1975 and Reagan in 1985--also explain the failure of executive leadership in the first instance and its success in the second. Specific presidential actions, or inactions, are also particularly important in explaining why a 1981 repeal attempt failed, even though it occurred during Reagan's honeymoon and at a time when the Soviet invasion of Afghanistan was a very fresh memory.

The Role of Interest Groups

Interest group influence on public policy has been acknowledged since the beginning of the Republic, when Madison discussed the danger of factions in Federalist #10. Many more recent analysts agree with Madison that factions, or their contemporary incarnation--interest groups--exercise a negative influence on American politics and must be controlled (this school of thought is sometimes called elite theory). E.E. Schattschneider, for example, writes:

The flaw in the pluralist heaven is that the heavenly chorus sings with an strong upper-class

⁹²Richard Cheney, "U.S. Foreign Policy: Who's in Charge?" SAIS Review Vol 4, No 1 (Winter-Spring 1984):115.

accent. Probably about 90 per cent of the people cannot get into the pressure system.⁹³

Others see groups as an important and valuable means of citizen participation, to be regulated certainly, but not discouraged (these analysts are sometimes labelled pluralists). For Lester Milbrath, for example,

the influence of groups is derived from the fact that members of groups are citizens and the political system is designed to respond to the influence of their votes.⁹⁴

For good or ill, interest groups are important players in the legislative process. They are not important all the time, or on every issue, nor are all legislators equally susceptible to their influence. But there are many instances in which the imprint of organized group effort can be seen on the legislative product.⁹⁵

Although the traditional view has been that interest groups are less active on foreign policy questions because of the need for "the nation to speak with a single voice,"⁹⁶ it is increasingly the case that interest groups

⁹³Schattschneider, 35.

⁹⁴Lester Milbrath, The Washington Lobbyists (Chicago: Rand McNally, 1963):342.

⁹⁵Schneider and Gross cite as an example the funeral directors' success in persuading Congress to overrule Federal Trade Commission regulations. Schneider and Gross, 113. Although not an academic treatment, Mark Green's Who Runs Congress? (New York: Dell, 1984) books have many examples of successful interest group pressure.

⁹⁶Eric M. Uslaner, "Interest Groups in Foreign Policy-making," in Allan J. Cigler and Burdett A. Loomis, eds., Interest Group Politics, 2nd ed. (Washington, D.C.: CQ Press, 1986):238.

are activated on foreign policy questions, seek to, and do have influence. According to Tierney,

To observers of the politics of American foreign and defense policy, one of the noticeable developments over the past couple of decades has been the increase in the number and involvement of organized interests intent on influencing the direction of policy decisions.⁹⁷

Some observers have come to see this influence as excessive. Franck and Weisband, in an interview with House Foreign Affairs Committee Chair Clement Zablocki, elicited this comment:

Congress is too responsive to the lobbies of ethnic and special interests in the U.S. to be able to take the lead in foreign policy-making without endangering the national interest.⁹⁸

As with domestic policy, there are cases where interest groups do appear to have a determinative influence on congressional decisions. On issues such as arms sales to Arab nations, emigration of Soviet Jews, and of course the level of aid to Israel, the American Israel Public Affairs Committee (AIPAC) has been extremely effective in marshalling congressional support.

In a moment of perceived crisis, it [AIPAC] can put a carefully researched, well-documented statement of its views on the desk of every Senator and Congressman and appropriate committee

⁹⁷John T. Tierney, "Interest Group Involvement in Congressional Foreign and Defense Policy," in Randall B. Ripley and James M. Lindsay, Congress Resurgent (Ann Arbor: University of Michigan Press, 1993):89.

⁹⁸Franck and Weisband, 165.

staff within four hours of a decision to do so.⁹⁹

Since it first started operations in 1951, AIPAC has lost very few legislative fights.¹⁰⁰

The Angola cases will show that there was considerable activity on the part of ideological, foreign government and business groups. With the exception of the Cuban American National Foundation (CANF), group activity was limited to attempts at persuasion (often noted as a lobbyist's most powerful tool), and not threats of electoral punishment or offers of campaign funds. CANF, on the other hand, used the full panoply of interest group tactics, from campaign contributions to veiled electoral threats to major public relations efforts. For a majority of members, the interest group voice was among the softer voices that they heard on Angola. But, for one important member, Representative Claude Pepper (D-FL), the voice of CANF was loud and clear and motivated him to sponsor and lead the fight for repeal. And, finally, Angola is a very clear case where the interests of American business (often noted as a major influence on U.S. foreign policy) were contrary to the direction of American foreign policy, and on some occasions harmed by those policies.

The role of the media

⁹⁹Sanford J. Ungar, "Washington: Jewish and Arab Lobbyists," Atlantic, March 1978, p. 10. See also Franck and Weisband, 186-188.

¹⁰⁰Uslaner, 246.

In his 1960 study of the Senate, Matthews observed the following about the impact of reporters on congressional behavior:

Their definition of news influences how senators act and what the "issues" are, they sometimes serve as informal advisors to the senators with whom they work closely, they can and do "pressure" senators into taking action merely by the way they "play" a story, and they serve as an essential link between senators and the outside world and as a means of communication within the chamber.¹⁰¹

Thirty years later and in more contemporary language, Kingdon found the same impacts. His research revealed that the media was an important source of information for members, an interpreter of reality for both constituents and members (sometimes forcing members into policy positions that they would otherwise avoid), and an agenda setter for both policymakers and the people.¹⁰²

Members of Congress, however, are not passive recipients of media content. They can use the media to try to nudge congressional policy in a particular direction. The working habits of reporters work to the advantage of issue advocates in Congress because reporters are always looking for someone who can "give good quote" on an issue. According to Baker, "Journalists looking for a congressional spokesperson on an issue do appear to be drawn to those that

¹⁰¹Donald R. Matthews, U.S. Senators and their World (New York: W.W. Norton, 1973):206.

¹⁰²Kingdon, 217-219.

can be identified as experts."¹⁰³ Thus, a member with good press skills and a bit of knowledge, can, with little effort, find his or her position in the morning paper to be read by colleagues and attentive constituents alike. Content analysis of Angola coverage confirms this. The same half-dozen or so members are quoted time and again on the issue, and clearly help determine the tone of coverage.

It is undeniable that the press has a "huge and identifiable impact" on congressional policymaking.¹⁰⁴ The Angola cases will show that the timing and content of particular stories, and the volume and tone of editorials preceded congressional interest in, and shaped members' opinions on, the question of aid to the rebels.

Conclusion

The chapters that follow will analyze several congressional decisions on Angola along three dimensions: individual, institutional and environmental. This kind of analysis provides a complex, but fairly complete, explanation for congressional action in these cases. It also provides a method for organizing a large number of variables that can be tracked over time to build an explanation for policy change. As the following chapters

¹⁰³Ross K. Baker, House and Senate (New York: W.W. Norton, 1989):141.

¹⁰⁴Martin Linsky, Impact: How the Press Affects Federal Policymaking (New York: W.W. Norton, 1986):87.

will show, the congressional shift on Angola can be understood only by reference to variables at all three levels of analysis. It is true that the Soviet invasion of Afghanistan fundamentally altered members' perceptions of American involvement abroad. But Angola policy did not shift until 1985, six years after Afghanistan. It is true that the partisan balance in Congress was better in 1981 than at any time in two decades for the enactment of so-called interventionist foreign policies, but still the Clark Amendment held. Only when the individuals involved with the issue changed, by leaving Congress or turning their attention to or from Angola, did institutional and environmental changes find expression in congressional policy. For other issues, the cast of characters may change first, but they will have a difficult time trying to change policy if the opinion environment, the issue context, or the political climate favors the status quo.

The approach used here is not the kind that allows one to predict outcomes or replicate results; rather, it is an approach that encourages broad and deep research and full and detailed explanations. The field of congressional studies is still far from discovering the "methodological grail of a general theory"¹⁰⁵ of decisionmaking. Case studies such as this one, however, do as Thomas says, "increase the precision of existing paradigms and more

¹⁰⁵Thomas, "Case Studies," 74.

systematically produce knowledge that is cumulative and moves closer to that illusive goal" of a general theory.¹⁰⁶

¹⁰⁶Ibid.

CHAPTER 2

CONGRESSIONAL POLICY AND THE ANGOLAN CIVIL WAR, 1975-76

Angola is a country little known to most members of Congress, let alone the general public. Yet it is a country that, in 1975, became the focus of a major congressional foreign policy initiative and a significant source of dispute between the executive and legislative branches. Had Angola become independent in the early 1960s rather than the early 1970s, there might have been no American involvement in its future. Because of the particular coincidence of events--the Portuguese revolution, the end of the Vietnam War, and the growing strength of the Soviet Union--Angola did become the site of a superpower face-off that provoked a strong negative reaction from the United States Congress. This chapter will briefly trace American involvement in Angola leading up to the congressional actions of 1975 and 1976 and then describe in detail those actions.

BACKGROUND: WHY ANGOLA?

Events of potential import occur everyday in every part of the world, yet only relatively few attract the attention of the American Congress. Events in Africa in particular tend to remain the province of State Department specialists and not subject to legislative action and attention.¹

¹Interviews with both House and Senate staffers of both parties produce observations such as: "These people [members] don't know anything about Angola...they don't even know where it is..." or "Most members of the Foreign Affairs Committee show little interest in Africa." All congressional staffers interviewed for

Angola in 1975 and 1976 was an exception to this rule. What happened in Angola and why did it draw the attention of American legislators?

In 1974, a military coup in Portugal unseated the Caetano government and resulted in the automatic liberation of Portuguese colonies in Africa, including Angola, Mozambique, the Cape Verde Islands, Sao Tomé and Guinea-Bissau. While the other countries made the transition to independence relatively peacefully (although Mozambique had and continues to have internal difficulties), liberation led immediately to civil war in Angola. Three tribal-based groups, the Popular Movement for the Liberation of Angola (MPLA), the National Front for the Liberation of Angola (FNLA), and the National Union for Total Independence of Angola (Unita)--contended for control of the country. With official independence scheduled for November 11 1975, fighting between the three groups escalated during the summer of 1975.²

Each of the three groups was receiving aid of some sort from other countries. The particular pairings were in some cases marriages of convenience, in other cases the result of shared ideology, and in all cases served the perceived

this study wished to remain anonymous.

²For detailed accounts of the Angolan civil war, see: John Marcum, The Angolan Revolution (Cambridge: MIT Press, 1978); Arthur J. Klinghoffer, The Angolan War: A Study in Soviet Policy in the Third World (Boulder, Colorado, Westview Press, 1980); and John Stockwell, In Search of Enemies (New York: W.W. Norton, 1978).

geopolitical needs of the sponsors. The eventual winner of the power struggle, the MPLA, headed at the time by Agostinho Neto, was aligned with the Soviet bloc, and was by the summer of 1975 receiving significant shipments of arms and money. The U.S. government reported that the Soviets shipped 100 tons of arms to the MPLA in April of 1975 and provided a total of \$200 million in matériel between April and June of that year. It was also reported that 230 Cuban advisors arrived in Angola in April.³

The FNLA, led by Holden Roberto, was supported primarily by Zaire to the north (Roberto was married to Zairean President Mobutu's sister), the People's Republic of China and the United States. It was the FNLA that led a revolt against the Portuguese in 1961 and drew the attention of the United States to Angola. At that time, President Kennedy instructed the CIA to establish ties with Roberto "to forge a link between the United States and the indigenous groups which were expected to drive Portugal from Angola one day."⁴ Throughout the 1960s, Roberto received a "retainer" of approximately \$20,000 a year until 1970, when at the request of the Portuguese government, President Nixon terminated the relationship. Roberto was "reactivated" in January of 1975 in order "to give the United States some

³Stephen Kaplan, The Diplomacy of Power (Washington, D.C.: Brookings Institution, 1981):582.

⁴New York Times, September 25, 1975, p. A1.

capital with one of the leaders of a government which will control a sizeable country." Throughout 1975, this aid increased to an eventual total of \$30-40 million.⁵

The third group, Unita, led by Jonas Savimbi, was founded in 1966 as a splinter of the FNLA. Unita's tribal base is the largest, and Savimbi was and still is very popular among Angolans. But in 1975, Unita was the weakest of the three groups militarily and had no clear foreign sponsor. As the MPLA's victory in the struggle for control of Angola appeared increasingly likely by mid-1975, and following an MPLA massacre of 150 Unita troops, Savimbi and Roberto formed an uneasy alliance against Neto. As a result, Unita also became the recipient of American and Chinese assistance.

South Africa was also a party to this complex situation. Since the early 1950s, the United Nations had been demanding that South Africa withdraw from South West Africa (later Namibia), over which South Africa claimed sovereignty under a League of Nations mandate.⁶ The South

⁵Roger Morris, "A Rare Resignation in Protest," Washington Monthly (February 1976):23. Estimates of U.S. aid vary and cannot be verified because the funds flow through the C.I.A. budget which is not a public document. The New York Times reported on December 17, 1975 that, according to Senators, the CIA had sent \$25 million in arms and support funds to Angola since July 1975 and that \$25 million more had been authorized and would be sent shortly.

⁶Thomas J. Noer, Cold War and Black Liberation: The United States and White Rule in Africa, 1948-1968 (Columbia: University of Missouri Press, 1985):176.

West African People's Organization (SWAPO), a pro-independence guerrilla group, was based in Angola and conducted frequent raids into Namibia from Angolan territory. SWAPO received aid and sanctuary from the MPLA government; the FNLA-Unita coalition received aid from South Africa. And, South Africa did not hesitate to conduct raids into Angolan territory in pursuit of SWAPO guerrillas and their MPLA allies.

In August and September of 1975, four Zairean battalions joined the FNLA-Unita coalition in the fight against the MPLA. This move, combined with the arrival of a significant amount of U.S. aid in September, helped turn the military tide in the favor of the American-backed factions. In late October, a column of South African troops (numbering from 1500 to 5000, depending on the source) invaded southern Angola to increase pressure on the MPLA, which was facing serious challenge in the north from the FNLA-Unita-Zairean forces. The MPLA suffered considerable territorial losses but avoided defeat with the help of a massive infusion of Soviet aid (according to one source, 27 shiploads, 30-40 planeloads of matériel and 4000 Cuban soldiers).⁷

On November 11, Angola achieved official independence. The MPLA, now in control of the capital city of Luanda, declared itself the legitimate government, and was

⁷Colin Legum, "The Soviet Union and the West in Southern Africa" Foreign Affairs 54(July 1976):750.

recognized by the Soviet bloc and six African nations. The FNLA-Unita government, established in Huambo, was recognized by no one. By mid-November, the MPLA had regained some lost territory and was beginning to re-establish the military upper hand.

THE TUNNEY AND CLARK AMENDMENTS: LEGISLATIVE HISTORY⁸

On December 17, 1975, the junior Senator from California, Democrat John V. Tunney, rose to propose that his colleagues amend the Defense Appropriations Act for fiscal year 1976 (HR 9861), to ban American aid to the rebels in Angola. The amendment read as follows: "[none of the funds] appropriated in this Act may be used for any activities in Angola other than intelligence gathering..."⁹ The amendment was adopted after three days of debate, by a vote of 54-22.¹⁰ The House adopted the amendment in the following January by an even larger margin of 323-99. Less than six months later, an even more sweeping ban on spending was enacted in the form of the Clark Amendment which prohibited the expenditure on the Angolan conflict of any American funds under any act in any year.

⁸This section is a description of what Congress did about aid to the rebels; why Congress acted as it did will be discussed in later chapters. See Chapter 3 for the background and motivations of Senators Clark and Tunney.

⁹ Congressional Record, December 17, 1975, p. 41141.

¹⁰Senator Tunney proposed his amendment from the floor on December 17, 1975. See Congressional Record, December 17, 1975, p. 41141.

This prohibition provoked, as was intended by Congress, the disassembling of CIA operations in Angola. A final \$4.8 million was disbursed by the CIA to compensate mercenaries, replenish supplies, and feed Unita and FNLA forces. Although many in the CIA wished to find other funds to continue support for the operation, congressional outrage and the reticence (induced by very hostile confirmation hearings) of the new CIA Director George Bush made this impossible. In fact, the House Appropriations Committee placed a team of auditors in CIA headquarters to keep an eye on its Angola books.¹¹

The American withdrawal in turn stimulated the retreat of South African troops, who were completely out of Angola by January 22, 1976.

By mid-February, 1976, with the Americans and South Africans gone, and with the help of as many as 12,000 Cuban soldiers and significant infusions of Soviet assistance, the MPLA secured military victory, was recognized by the United Nations as the legitimate government of Angola, and was admitted to the Organization of African Unity by a vote of 25 to 20.

The congressional ban on aid to the Angolan rebels, which had the effect of limiting presidential discretion and removing the United States from a foreign entanglement, are

¹¹See Stockwell (esp. pp. 241-2) for a detailed account of this and other facets of the Angola operation (called IAFEATURE by the CIA).

significant because they are considered by some to be the first congressional manifestations of the Vietnam syndrome and the first use of newly strengthened congressional resolve to influence presidential foreign policy-making.¹² But how did Angola, unknown to most members at the time, find its way into congressional consciousness? What did members say and do about Angola?

How Congress learned about Angola

John Tunney's proposal in December did not come out of the blue. Some members of Congress had been receiving secret briefings from the Administration for over a year, and all members of Congress were reading news stories about the situation in Angola since the revolution. But in late 1975, the nature of the information changed, and congressional attention was engaged in a way it had not been before.

Among the first members of Congress to look closely at Angola was Senator Dick Clark, Democrat from Iowa, who was Chair of the Senate Foreign Relations Subcommittee on African Affairs. On July 14, 1975, following stories in the American and European press about American aid flowing into Angola by way of Zaire, Clark's subcommittee held hearings on southern Africa. Those hearings were attended by a single Senator, Dick Clark. The three academic witnesses at

¹²See for example, Thomas Franck and Edward P. Weisband, Foreign Policy by Congress (New York: Oxford University Press, 1979): Chapter 2.

the hearing spoke against American involvement, and the Assistant Secretary of State for African Affairs, Nathaniel Davis, assured Clark that no such intervention was occurring.

Three days later, on July 17, the number of members with information on Angola increased significantly when President Ford authorized a \$6 million payment to the FNLA/Unita rebels and sent the required intelligence "finding" to the eight congressional subcommittees mandated by the Hughes-Ryan Amendment.¹³ During the summer of 1975, members of these eight congressional committees or subcommittees were briefed on Angola on twenty-four separate occasions, usually by CIA Director William Colby, and usually after a decision to increase the amount of aid. On July 27, Ford authorized an additional \$8 million; on August 20, another \$10.7 million and on November 27, what was to be a final \$7 million.¹⁴

On September 25, 1975, the issue moved out of the realm of the secret, when New York Times readers learned of the covert aid program in an article by Leslie Gelb. Citing

¹³ Hughes-Ryan, enacted at the end of 1974, required that the president personally approve of all covert actions and report them in secret to these eight committees. Those informed were the full intelligence committees of both chambers, and subcommittees of the appropriations, armed services and foreign affairs committees of both chambers. Certain staffers of each of these committees were also informed. This amounted to a total of about sixty persons responsible for the review of covert actions.

¹⁴Gregory Treverton, Covert Action (New York: Basic Books, 1987): 155-156.

"four official sources" who revealed the "millions of dollars...being poured covertly into Portugal and Angola by East and West," the story framed the aid in the context of the U.S.-Soviet struggle for control of Africa. It also revealed that the aid was flowing to the rebels and to the government of Zaire, with the approval of the President and the knowledge "as prescribed by law" of several congressional committees.¹⁵

Once Gelb broke the story of American involvement, journalistic treatment of Angola shifted focus. Prior to late September, the Angolan situation was receiving significant attention from the press¹⁶, but the focus was on the impact of the Portuguese revolution and the consequent internal power struggle between the three guerrilla movements. After September 25, the local coverage continued at a fairly high pace, but was supplemented by a large number of stories on American and Soviet involvement in that struggle. So, the press re-framed the issue from a story of a civil war in a far away land to a story of superpower conflict in a "proxy" war. Members of Congress

¹⁵Leslie H. Gelb, "U.S., Soviet, China Reported Aiding Portugal, Angola," New York Times, September 25, 1975, A1.

¹⁶The press here refers to those outlets that were indexed for 1975, mostly larger urban newspapers. There are no records for smaller papers or broadcast journalism for 1975. But, according to Lee and Solomon, "[New York Times and Washington Post] articles appear in hundreds of dailies across the United States...[and] the two newspapers set much of the news agenda for TV networks." Martin A. Lee and Norman Solomon, Unreliable Sources (New York: Lyle Stuart, 1990):20.

now had more information available to them and this information was of greater relevance to the average member than was the prior coverage of the civil war.

What Congress did about Angola

Even with the increased information from the Administration and the new slant in the press, congressional reaction to the existence of a covert aid program was slow in building. Nathaniel Davis, in his memoir of the Angola policy struggle writes:

It was, and still is, a mystery to me why the Gelb report had so little impact in the United States when it was published.....the report came and went without creating a great public uproar.¹⁷

But, as the fall progressed, there were a number of congressional actions that can be seen as precursors to the Tunney Amendment. On November 6, 1975, the Senate Foreign Relations Committee held a closed hearing on Angola to take testimony from CIA Director Colby and Undersecretary of State Joseph Sisco. According to Bender, Colby and Sisco

admitted that the CIA was covertly supplying the FNLA and Unita with money, rifles, machine guns, mortars, vehicles, ammunition and logistical support.¹⁸

While most Senators in attendance were opposed to the covert supply program, they were prevented from action by

¹⁷Nathaniel Davis, "The Angola Decision of 1975: A Personal Memoir," Foreign Affairs 57(Fall 1978):118.

¹⁸Gerald Bender, "Kissinger in Angola: Anatomy of Failure", in Rene Lemarchand, American Policy in Southern Africa (Washington, D.C.: University Press of America, 1978):98

"the factor of secrecy which still cloaked America's intervention."¹⁹ Once the factor of secrecy was removed by leaks to the press of the Colby/Sisco testimony²⁰ and remarks by Secretary of State Kissinger in a late November press conference,²¹ Congress was free to begin legislative action.

During December, a number of proposals for legislation were made in an attempt to influence President Ford's Angola policy. (See Appendix 1 for the most important of these.) As will be shown below, Tunney's succeeded because of the weakness of its competitors. The most serious substantive alternative to Tunney, the Stevenson resolution (SRes 333), was offered in a form that could not succeed so late in the session. As a free standing piece of legislation, it would have required a debate separate from that in which the Senate was already engaged (over the Defense Appropriations bill); with members eager to leave for Christmas break, there simply was not the will to undertake that debate. In the words of Senator Robert Packwood (R-OR), the Senate hesitated to "do something of this magnitude at this hour of the night."²²

¹⁹Ibid, 98.

²⁰See, for example, The New York Times, November 7, 1975, A1.

²¹David Binder, "US Stays out of Angola, Kissinger Says," New York Times, November 29, 1975, A3.

²²Congressional Record, December 17, 1975, p. 41212.

The other serious alternative to Tunney was the Griffin Substitute. This was in the right form; as a substitute to the Tunney amendment, it had to be considered before Tunney could be voted on. Substantively, Griffin would not interfere with Ford's covert action in Angola, but would simply prohibit the involvement of American military forces there. This was, for reasons discussed in detail in the next two chapters, not a strong enough limitation for a majority of Senators.

The Tunney amendment had none of the defects of the alternatives. As an amendment to the Defense Appropriations bill, it had to be considered before the multi-billion dollar Pentagon budget, already six months overdue, could be appropriated. And, substantively, it was just the kind of strong constraint on presidential foreign policy-making that many members were looking for in 1975.²³

Senate Action on Tunney Amendment

On December 16, Senator Tunney received a call at home from Senator Alan Cranston, his senior Democratic colleague from California. Cranston asked whether Tunney had been following the papers in the last few days on Angola.²⁴ Tunney responded in the affirmative, and expressed his

²³For an analysis of congressional opinion on executive power, see Chapter 3.

²⁴A detailed analysis of the role of the press in putting Angola on the congressional agenda and framing the debate on covert aid can be found in Chapter 3.

concern and desire to "do something." He added that he had been communicating with "experts in the field," and that one of his legislative assistants had been talking to a disgruntled member of the CIA. Cranston advised Tunney to "make some kind of move."²⁵ He did so on the Senate floor on the following day.

On the morning of December 17, Senator John L. McClellan (D-AR), Chair of the Senate Appropriations Committee, took to the floor of the Senate to ask his colleagues (according to Senator Tunney, there were only two or three Senators on the floor at the time) for unanimous consent to limit debate on the entire Defense Appropriations bill to one hour.²⁶

At this point, Senator Tunney rose²⁷, reserved his right to object and asked Senator McClellan to divulge the amount of money in the appropriations bill that was

²⁵Personal interview with John V. Tunney, January 11, 1990, Los Angeles, CA.

²⁶Such consent agreements are frequently used to expedite Senate business, but can be derailed by the objections of a single Senator. See Walter J. Oleszek, Congressional Procedures and the Policy Process, Third Edition. (Washington, D.C.: CQ Press, 1989): 185-6.

²⁷This is an indication of the extent to which the "folkways" of the Senate had dissolved in the mid-1970s. Prior to this time, it was unlikely that a first-term Senator with an unimpressive legislative record would dare challenge the motion of the senior and powerful chairman of the Appropriations Committee. See Donald R. Matthews, U.S. Senators and their World. (New York: W.W. Norton, 1973):Ch. V, especially pp. 93 and 94.

earmarked for support of the Angolan rebels.²⁸ When McClellan refused to answer, Tunney requested a closed Senate session to discuss the question of whether members who received classified information are obliged to share it with colleagues, when it bears on current Senate debate. During that closed session, described by the Washington Post as "tumultuous", that question was not resolved and Senator Tunney did not receive the information he requested. Tunney's response was to object, during the open session on the afternoon of the 17th, to McClellan's request for unanimous consent thus opening the bill for debate, and to offer his amendment to prohibit use of any of the bill's funds in Angola. This action provoked a reaction from Senator Robert Griffin (R-MI) in the form of his substitute amendment, which, as noted above, prohibited the use of American troops in Angola, but was silent on the question of covert aid.²⁹

What followed during the open session on the 17th was discussion among the Senators of the policy consequences of voting for or against Tunney. Did aid to anti-communist rebels in Africa serve American interests? Would a ban on aid restrict the president's flexibility in an undesirable

²⁸McClellan, by virtue of his position as Chair of the Appropriations Committee, was privy to the classified sections of the Defense bill in which such information was revealed.

²⁹Spencer Rich, "Senate Moves to Bar Aid" Washington Post, December 18, 1975, p. A1.

way? What were the implications of either course of action for U.S.-Soviet relations? At the end of that session on the evening of the 17th, the Senators agreed to further consideration of these questions during a closed session in the morning of the 18th, to be followed by a vote on the Griffin substitute.

At this point, according to a New York Times report, Senate staff aides said that support for and opposition to a cut-off of aid (the Tunney approach) were about evenly divided.³⁰ On the 18th, the Senate again closed its doors to the public and the Congressional Record, and discussed the Angolan situation for two hours. Following the closed session, the Griffin amendment was allotted forty minutes of debate time during which only opponents of the amendment spoke, indicating that perhaps Griffin and his allies realized that they were supporting a lost cause. And, in fact, they were. When the question was called, the Griffin substitute was rejected by a vote of 72-26.³¹

With the Griffin substitute out of the way, the next step in the debate over the Tunney amendment was the addition of an improving amendment by Senator Javits (R-NY). Javits wished to remove from Tunney a provision that deleted \$33 million from the Defense Appropriations bill--the amount

³⁰David Binder, "U.S. Request for Angola Projected at \$60 Million" New York Times, December 18, 1975, p. 14.

³¹For the vote, see Congressional Record, December 18, 1975, p. 41619.

sought by the Ford Administration for its next installment of aid to the Angolan rebels.³² On December 18, Senator Javits offered an amendment to the Tunney amendment to remove the dollar figure from Tunney. Javits' motivation was strategic and designed to facilitate the acceptance of the Tunney amendment by the House of Representatives.³³

[My amendment] will save a lot of time with the other body if they are in any mood to do anything about Angola. It will certainly be a lot easier to get them to do it if they do not have to retrade all their deals on the defense appropriations.³⁴

The amendment passed by a 93-4 margin, with many members stating that their approval of the Javits amendment did not constitute support for the Tunney amendment but did indicate their desire to retain the \$33 million in the bill.³⁵

In the early afternoon of December 18th, after all those who wished to speak on Tunney had done so (some 41 Senators), Senate Majority Leader Mike Mansfield (D-Montana) asked six times for unanimous consent to vote on the Tunney Amendment. Each time, Senator Griffin objected. This was

³²This request was, of course, supposed to be secret, and since it was for covert aid, would be taken from the Pentagon, but did not appear in that budget as a specific line.

³³Congressional Record, December 18, 1975, p. 41618.

³⁴Ibid., p. 41619.

³⁵Ibid., pp. 41620-41623. For the vote, see p. 41623. This is an excellent example of the difficulties of analyzing roll call votes. The support of 93 senators is extraordinary, but the motivations of the supporters vary widely. The opponents of the Javits provision were: Carl Curtis (R-Neb), William L. Scott (R-VA), John Stennis (D-MS) and of course, Robert Griffin (R-Mich).

the beginning of a filibuster, characterized by Congressional Quarterly Almanac as "White House-engineered".³⁶

Although Griffin's objections prevented a vote on the Tunney amendment, debate continued. Throughout the afternoon, opponents of the Tunney proposal voiced their objections. Much of the discussion centered on the behavior of the Soviet Union as the provider of aid to the MPLA and the impact that an aid cut-off would have on encouraging bad behavior.

As the debate continued into the early evening, the most important actors in the Angola fight were not on the Senate floor. During the day, the Republican leadership had attempted to develop a compromise package to fend off the increasing likelihood that Tunney would pass. Senators McClellan and Griffin had proposed to President Ford that he seek \$9 million in additional funds for the Angolan rebels (instead of the \$33 million request that Ford had put before the appropriate committees) and accept the requirement that future funding requests would have to be approved by the full Senate. Ford had rejected the proposal on the grounds that it infringed on the foreign policy powers of the president.

³⁶Congressional Quarterly Almanac 1975, p. 886. The Congressional Record of December 17, 1975 contains a reference to the fact that Sen. Griffin left the floor in order to meet with the President. Whether or not this was to arrange the filibuster is not known. See. p. 41212.

However, the proposal was offered again in the evening, this time to Secretary of State Kissinger when he arrived on Capitol Hill, at the request of Senator Griffin, to meet with the 25-30 Senators most actively involved in the Angolan debate. The meeting lasted four hours.

According to Senator Tunney, a participant in the meeting, Kissinger

made an eloquent statement in which he was trying to demonstrate the linkage between what was going on in Southeast Asia and what was going on in Angola and what the Russians would perceive to be the West's weaknesses....that if we didn't meet the challenge in Angola, the Russians would take that as a sign of weakness and would push harder elsewhere...because of the very plausible presentation that Kissinger made...it looked as though the issue was going to be resolved in favor of his position...liberals like Hubert Humphrey were indicating that they would support that position.³⁷

Kissinger left the meeting promising again to relay the McClellan-Griffin proposal to the president. To the press, however, he said there had been "no meeting of the minds" during the session. Tunney, at the same press conference, indicated his unwillingness to accept the Republican compromise:

Nothing is acceptable that won't result in a cutoff of all funds for military aid to Angola. I

³⁷Personal interview with John Tunney. For press accounts of the meeting, see David Binder, "Senate Votes to Cut Off Covert Aid for Angolans," New York Times, December 20, 1975, p. A1; and idem, "Filibuster is on for Angolan Aid," New York Times, December 19, 1975, p. A1.

don't want to see more money down this rathole.³⁸

After the meeting with Kissinger, the Senate leadership decided to have the Foreign Relations Committee discuss the compromise the next morning (the 19th) and present recommendations to the full Senate in an effort to break the filibuster. The Senate adjourned at 7:16 p.m., to reconvene at 9 a.m. the next morning, a day on which many members had plane reservations to fly home for the Christmas recess.³⁹

On the morning of the 19th, the Foreign Relations Committee was unable to reach agreement, with Senators Humphrey and Javits leading the fight for a complete ban on aid. According to Tunney, Humphrey's overnight change of heart on the aid ban may be explained by a threat issued by Tunney. After the meeting with Kissinger during which Humphrey seemed to be receptive to the Administration's argument, Tunney reports that he approached Humphrey and said, "I think that you have a very good chance to be the nominee of our party but I can promise you if you go down to that committee and support aid to Angola that faction of our party that was very much opposed to the war in Vietnam and

³⁸Binder, December 19, 1975.

³⁹The transcripts of the floor debates reveal that Majority Leader Mansfield was particularly concerned with not jeopardizing members' travel plans. On December 17, for example, he says, "I remind our colleague from Idaho [Sen. McClure] that National Airlines and United Airlines are on strike and that comprises about 23% of the transportation business of our nation....many members have their tickets and if they lose out I do not know when they are going to get their tickets renewed." Congressional Record, December 17, 1975, p. 41205.

defeated you in 1968 will prevent you from getting the nomination..."⁴⁰

According to Senator Tunney, when it became clear that the committee no longer supported aid, he knew he had won.⁴¹ On top of the committee's demonstration of its lack of support for the administration position came Majority Leader Mansfield's announcement that he was prepared to let the entire \$90 billion defense appropriations bill wait until the Senate reconvened in January. This announcement may have been decisive in ending the filibuster. In a floor speech, Senator John Stennis (D-MS), Chairman of the Armed Services Committee, noted the appropriations bill was for a fiscal year that was already half over, that it had been worked on for 13 months, that

some of the best staff members on Capitol Hill have worked laboriously on it...that no contract plans can be made, and industry and the Department [of Defense] is standing by. Everybody is standing by having to wait, wait, wait six months, almost seven months, but nothing can be done.⁴²

According to reports in the New York Times and Congressional Quarterly Weekly, it was the desire to "free the captive appropriations bill" that motivated President Ford to approve the ending of the filibuster. Another interpretation appeared in the Washington Post, which

⁴⁰Tunney interview.

⁴¹Tunney interview.

⁴²Congressional Record, December 19, 1975, p. 42217.

reported that part of the Administration's motivation in ending the filibuster may have been "to let the public know who would be responsible for any Soviet gains in Angola."⁴³

At this point, the State Department congressional liaison staff proposed that its allies in the Senate move to table the Tunney Amendment. The motion was offered by Senator Mansfield (who was not an Administration ally, but was Senate Majority Leader, and very interested in moving the process along) and promptly defeated by a vote of 58-21. This forced a vote on the Tunney proposition. It passed easily by a 54-22 margin. The Senate began its holiday recess minutes thereafter, leaving it to the House of Representatives (about to recess) to decide the fate of the appropriations bill and its controversial amendment.⁴⁴

During this entire process, another congressional assault on the administration's Angola policy was being launched on a second front in the Senate--the Africa Subcommittee of the Senate Foreign Relations Committee--and this assault, in the form of the Clark Amendment to the International Security Assistance and Arms Control Act of 1976, while less dramatic and certainly less well-covered by the press, would prove to be the more deadly to the administration's objectives. The story of the Clark

⁴³Spencer Rich, "Senate Bars Angola Aid; Defense Bill is Held Over," Washington Post, December 20, 1975, p. A1.

⁴⁴Binder, December 20, 1975, p.8; and, Congressional Quarterly Almanac 1975, p. 357.

Amendment will be considered after a discussion of House action on the Tunney Amendment.

House Action on the Tunney Amendment

Since the House adjourned shortly after the Tunney Amendment passed the Senate on December 19, 1975, consideration of the provision was postponed until the beginning of the 2nd session of the 94th Congress. On the 26th of January the House Committee on International Relations (formerly, and to be renamed again as, the House Foreign Affairs Committee) held a hearing on the Angola question and took testimony from William E. Schaufele, the Assistant Secretary of State for African Affairs, and Edward W. Mulcahy, the Deputy Assistant Secretary of State for African Affairs. During the session the two administration spokesmen addressed many of the concerns that had emerged during the Senate debate on Tunney: that the Soviets had violated the spirit of detente; that the amount of Soviet assistance to the MPLA was large--\$200 million by January 1976; that the U.S. did not condone South African involvement in the conflict; that the Cubans were deeply involved to the tune of 10,000 soldiers; that the Organization for African Unity (OAU) could not agree on which side was the "right side" in the civil war; and that

American troops would never serve in Angola.⁴⁵

The transcripts of the hearings reveal that twelve members participated in the questioning and the proceedings were generally quite cordial and non-antagonistic. The twelve were Representatives Morgan (D-PA), Biester (R-PA), Fascell, (D-FL), Whalen (R-OH), Hamilton (D-IN), Lagomarsino (R-CA), Bingham (D-NY), Buchanan (R-AL), Ryan (D-CA), Solarz (D-NY), Meyner (D-NJ) and Bonker (D-WA). Two members asked informational questions only (Whalen and Lagomarsino). Several were mildly critical of the Administration's position (Morgan, Fascell, Hamilton, and Bingham). Three--including two freshmen--were more strongly critical (Ryan, Solarz and Bonker). Only two (Biester and Buchanan) were supportive in their questioning. This tilt towards opposition to the Administration's position and support for the Tunney amendment was carried over to the floor debate the next day, although the tone was much less cordial and more acerbic, again demonstrating the principle that the House floor became a more dangerous place for administration proposals after the reforms of the mid-1970s.

On that day, January 27, 1976, Rep. George Mahon (D-TX), Chair of the Defense Appropriations Subcommittee, brought the Angola issue to the floor by moving to disagree with the Senate amendment (i.e. the Tunney Amendment) and to resolve

⁴⁵United States House of Representatives, Committee on International Relations, 94th Congress, 2nd session, United States Policy in Angola, Hearing, January 26, 1976, pp. 1-6.

the disagreement in conference.⁴⁶ At this point, Rep. Robert Giaimo (D-CT), on behalf of himself and Rep. Joseph Addabbo (D-NY), offered a preferential motion to concur with the Tunney amendment.⁴⁷

The relatively short House debate focused on the same themes as the Senate debate. From liberals came: What are American interests in Africa? Should the President have the authority to engage in covert operations? Isn't this just another Vietnam quagmire? From conservatives was heard: The United States is a global power that must not shirk its global responsibilities; We can't let the Soviets get away with this.

The liberal, pro-Tunney side clearly dominated the debate. Of the fifty-one members who participated, 31 spoke in favor of the Giaimo-Addabbo amendment, 18 spoke against it, and two were neutral.⁴⁸ The final vote, at 323-99 in favor of the Giaimo-Addabbo (i.e., Tunney) Amendment, was even more lopsided than the Senate vote of 54-22.⁴⁹

Unlike in the Senate, where the White House intervened in the deliberative process with a visit to the Hill by

⁴⁶Congressional Record, January 27, 1976, p. 1036.

⁴⁷According to the Rules of the House, the Giaimo motion took precedence because it offered the more immediate prospect of resolving the issue. Congressional Quarterly Almanac, 1975, p.886.

⁴⁸Congressional Record, January 27, 1976, pp. 1035-1057.

⁴⁹*Ibid*, p. 1057.

Secretary Kissinger and a "White House-engineered filibuster", executive branch contacts with the House were minimal. Republican staff aides interviewed by Congressional Quarterly Weekly at the time of the vote said that "to their knowledge the White House had not approached [Republican House] members before the January 27 vote to organize a campaign against the Tunney amendment."⁵⁰

In addition to sending his State Department people to testify before the International Relations Committee on the day before the vote, President Ford apparently took only one step in his attempt to fend off defeat in the House. On the morning of the 27th, Ford sent a letter to Speaker Carl Albert (D-OK) expressing his "grave concern over the international consequences of the situation in Angola", outlining the facts of the case, and stating that

[o]ur sole objective has been to preserve the opportunity for this Angolan problem to be resolved by Angolans and not through the application of brute military force by the Soviet Union and Cuba.⁵¹

Ford warned that "the failure of the US to take a stand will inevitably lead our friends and supporters to conclusions about our steadfastness and resolve," and "strongly urge[d] the House of Representatives to...vote to disagree with the Senate Amendment to the Defense

⁵⁰Congressional Quarterly Weekly, January 31, 1976, p. 208.

⁵¹Weekly Compilation of Presidential Documents, Vol. 12(1976):89-90

Appropriations Act."⁵²

The letter was obviously not persuasive. Following the House vote, White House Press Secretary Ron Nessen had the President's reaction:

By its action, the Congress has put the United States on record as refusing the request for help from an African people who seek nothing more than to decide for themselves their own political future...the Congress has stated to the world that it will ignore a clear act of Soviet-Cuban expansion by brute military force. The consequences of this action can only result in serious harm to the interests of the United States.⁵³

When asked about the possibility of a presidential veto, Nessen replied, "[I]t doesn't make sense to risk billions needed by Defense for \$28 million for Angola."⁵⁴ On February 9, 1976, President Ford signed into law the Department of Defense Appropriation Act (PL94-212), as amended by the junior Senator from California. In so doing, Ford denied himself the ability to spend any of the funds in that bill for covert military or paramilitary activity in Angola.

Senate Action on the Clark Amendment

Despite the dramatic rhetorical response of the Administration and of Tunney opponents in Congress, the practical implications of the passage of the Tunney aid cut-

⁵²Ibid.

⁵³Ibid.

⁵⁴New York Times, January 28, 1976, A1.

off were not as significant as depicted. The Tunney Amendment prohibited the use of any funds appropriated in P.L. 94-212 for activities in Angola. This law provided funds to the Defense Department for a fifteen-month period. There was no restriction on funds appropriated to other departments nor any limits on funds appropriated to the Pentagon after the 15-month period had elapsed. Thus, the Tunney ban was neither comprehensive nor permanent. It was the job of the Clark Amendment to apply these two characteristics to the prohibition of assistance to the Angolan rebel factions.⁵⁵

The Clark Amendment was attached to S.2662--the initial version of the International Security Assistance and Arms Control Act of 1975. It was not proposed in reaction to the perceived weaknesses of the Tunney Amendment, and in fact had been in the works prior to Senator Tunney's proposal from the Senate floor. Rather, the Clark Amendment was moving through a different legislative channel at the same time as Tunney and had the more sweeping and permanent features of an aid ban that Tunney lacked. Where Senator Tunney fought his fight with the congressional equivalent of guerrilla tactics, launching his attack on the Defense

⁵⁵I am grateful to former Senator Dick Clark for pointing out these weaknesses (from his perspective) in the Tunney Amendment during an interview on July 17, 1989 in his office at the Aspen Institute in Washington, D.C. During the debates in 1975, only Lowell Weicker (R-CT) worried that the Tunney restrictions were not tight enough. See Congressional Record, December 17, 1975, p. 41199.

Appropriations bill suddenly and from the floor, Senator Clark followed the more traditional practice of using his position as the Chair of the Senate Subcommittee on Africa to propose the amendment in committee, hold hearings and issue reports. In its final version, the result of Senator Clark's efforts was to prohibit "any covert or overt assistance, directly or indirectly, in, to, for, or on behalf of Angola unless such assistance is specifically authorized under the Foreign Assistance Act."⁵⁶ Although the initial Clark proposal was introduced in mid-December of 1975, it was not until July 1, 1976 that President Ford signed its legislative vehicle, the International Security Assistance and Arms Export Control Act of 1976 (PL 94-329), into law.

The length of the legislative path of PL 94-329 had very little to do with the Angola aid question and very much to do with the myriad of other propositions in the initial bill, described at the time as "the most significant piece of legislation in the field of foreign military assistance in twenty-five years."⁵⁷ The bill, introduced on November 13, 1975 by Senator Humphrey as S.2662, was an attempt to assert congressional control over the military aid program of the United States. Many of the bill's more controversial

⁵⁶United States Senate, Committee on Foreign Relations, Report to Accompany the International Security Assistance and Arms Export Control Act of 1976, Report 94-605, January 30, 1976, p. 31.

⁵⁷Ibid.

aspects were: the elimination of the military assistance program (MAP provided a lump sum to the president to be allocated by him without congressional input) and its replacement with a program of country-specific authorizations of aid made by Congress; a prohibition of military assistance to countries that violated the human rights of their citizens; a requirement that all arms sales of more than \$7 million be submitted to Congress and subject to a legislative veto; a requirement that all arms sales over \$25 million must be from the U.S. government rather than an American corporation; termination of military assistance to countries that violate the conditions for use of American arms; and termination of assistance to countries that give sanctuary to terrorists. Also in S.2662 were various country-specific provisions, such as the ban on aid to the Angolan rebels, a lifting of the trade embargo against North and South Vietnam, a ban on security assistance to Chile, and certain Cyprus-related limitations on aid to Turkey.⁵⁸ Altogether, the bill contained seven legislative vetoes.

The Clark Amendment was not in the original proposal, but was added on December 4, 1975 as S.2662 was being considered by the Subcommittee on Foreign Assistance. Subsection (a) of the amendment was essentially hortatory,

⁵⁸For a summary of the provisions of S.2662, see Congressional Quarterly Almanac 1976, p. 213.

expressing the sense of the Congress that people of Angola "should be allowed to determine their own political future," supporting the efforts of the Organization of African Unity (OAU) "to achieve a settlement of the conflict in Angola," and calling on all countries "to terminate any military assistance to any group, organization, movement or individual in Angola."⁵⁹ Subsection (b) dealt with the question of aid and prohibited payments of money, the provision of security or other assistance, training or advice for military or paramilitary operations "directly or indirectly, in, to, for, or on behalf of, Angola, any individual, group, organization, or movement in Angola, or any other country for the purpose of furnishing or delivering such assistance," unless approved by Congress. If the President wished to provide such assistance, he was required to submit a report to both chambers explaining the nature of and the reasons for the assistance. The Clark Amendment, then, provided Congress with a legislative veto over such assistance that permitted either House to disapprove by simple resolution, and thus cancel, the assistance within thirty days of receipt of the above report.

On December 5, 1975, Senator Clark testified before the

⁵⁹Congressional Record, February 4, 1976, p. 2317-8. All quotations in this paragraph are taken from these pages.

Subcommittee on Foreign Assistance to explain his amendment.

The intent of the amendment is to transfer decision-making about Angola from a few persons within the executive branch to a forum where the public can participate....What the administration should do, if it wishes to pursue a role of active intervention in Angola, and what my amendment would compel it to do, is to come before the Congress, present its views, ask for money, and answer questions.⁶⁰

Clark faced friendly questions from the only two Senators present at the hearings--Humphrey (D-MN) and Clifford Case (R-NJ). On December 16, after an executive session with representatives of the State Department and the Central Intelligence Agency, the members of the subcommittee approved the Clark Amendment by a 7-0 vote.⁶¹ The lopsidedness of the vote is explained in part by the ideological predispositions of the subcommittee members (see Chapter 3 for discussion), but also by the testimony and behavior of the administration officials. During the session, members of the subcommittee received two damning bits of information from CIA Deputy Director for Operations William Nelson. First, Nelson admitted that the CIA had been exchanging intelligence information with South Africa. Second, the members learned that CIA Director William Colby,

⁶⁰United States Senate. Committee on Foreign Relations. Foreign Assistance Authorization. Arms Sales Issues. Hearings before the Subcommittee on Foreign Assistance. 94th Cong., 1st sess., December 5, 1975, p. 539-540.

⁶¹United States Senate, Committee on Foreign Relations, Report on Restrictions on Assistance to Angola, Report No. 94-584, 94th Cong., 1st Sess., December 18, 1975, p. 1.

who had been defending the Angola program before a variety of congressional audiences for several months⁶², was, in fact, opposed to the covert operation in Angola.⁶³

With regard to the South African connection, which was harmful enough as it stood, a State Department official, Edward Mulcahy (who had become Acting Assistant Secretary for African Affairs), followed Nelson as a witness, and denied the connection with South Africa. When informed by the members of Nelson's testimony to the contrary, Mulcahy backed down and admitted the relationship. This waffling could only serve to undermine the already limited trust that Congressmembers had in the Ford Administration at the time.⁶⁴

With regard to the Colby revelation, members read in the next day's Post (in a small back-page story) that Colby did not oppose aid, but simply worried that it would be difficult to keep the program secret. Colby charged that Nelson had misinterpreted his words.⁶⁵ The denial came too

⁶²Colby testified before the Senate Foreign Relations Committee on November 6; before the House Intelligence Committee on December 12, and before the six Hughes-Ryan committees on December 8.

⁶³Marilyn Berger, "Senate Unit Votes Angola Aid Curb", Washington Post, December 17, 1975, p. A1.

⁶⁴Franck and Weisband conclude that the unanimous subcommittee and committee approvals were the direct result of this contradictory administration testimony. They charge that the Committee "punished the State Department for lying by cutting off aid to Savimbi." Franck and Weisband, p. 47.

⁶⁵Washington Post, December 18, 1975, p. A11.

late to change the subcommittee's mind or to alter the impression of an administration confused about its Angola policy.

Following the subcommittee's unanimous endorsement of Clark, the full committee approved the measure by voice vote on December 18. The Committee report to the full Senate revealed clear opposition to the Administration's current policy in Angola. A sample of the report's conclusions are:

The Committee on Foreign Relations believes that any decision to become more deeply involved in this civil war should be entered into only after full public debate and thorough consideration by the Congress, not by means of a massive but ill-kept secret operation.

The Committee on Foreign Relations doubts that the United States would gain in the long run by responding to Soviet intervention in Angola with equal counter-intervention.

Members of the Committee are not persuaded by the proposition that deepening American involvement in Angola's civil war will somehow persuade the Soviet Union to cease its intervention.⁶⁶

At the initial important stages of the legislative process, the Clark Amendment was clearly in good shape with a unanimous subcommittee endorsement and a very friendly written record from the committee. Students of Congress have long been aware of how crucial these two factors are in determining a bill's eventual fate. Carter, for example, found that the strongest single variable in determining the

⁶⁶Ibid., 2.

final congressional decision on an issue is "the preference of the congressional committee with primary jurisdiction for the matter."⁶⁷

The entire bill was marked up and reported out of the Foreign Relations Committee on January 29. On February 18, by a vote of 60-30, the Senate adopted S.2662 with very few changes from the floor. Debate was, however, extensive and focused primarily on arms export controls, aid to the Middle East and Chile. Discussion of Angola occurred on the last day of debate, consumed only two pages of the Congressional Record and involved only two members of the Senate: Dewey F. Bartlett (R-OK) and Dick Clark. Senator Bartlett offered an amendment to delete most of the provisions of the Clark Amendment and argued that much of the amendment (in particular, the introductory material dealing with self-determination, non-interference and the good offices of the Organization of African Unity) was "pious redundancy" and that

if Congress wants to take a position on Angola then it should look at the real balance there, the real battle that is taking place and decide whether it wants to join one side which is supported by the Soviets, et al., or if it wants to join the other side which agreed...together with the MPLA, that there would be constitutional government, that there would be elections on November 11.⁶⁸

⁶⁷Ralph G. Carter, "Congressional Foreign Policy Behavior: Persistent Patterns of the Postwar Period" Presidential Studies Quarterly, XVI(Spring 1986): 340.

⁶⁸Congressional Record, February 18, 1976, p. 3630.

With regard to the question of aid in particular, Bartlett said that the president (Ford) "has served some 25-plus years in the Congress...and certainly does not need to have conditions placed on him as to how he might present an issue to Congress."⁶⁹ With regard to the clause that states that should the president wish to provide security assistance in the future, he may do so only overtly and with congressional permission, Bartlett says:

This would mean that apparently Congress would want to help the other side, which we might call the enemy, and provide them with a breakdown of all the equipment it would be furnishing...⁷⁰

Clark's response was to point out several times that Bartlett's amendment would permit the continuation of covert activity--a phrase that Clark mentioned five times in two minutes. Senator Bartlett's amendment was defeated easily and quickly, by a vote of 75-16. Shortly thereafter, the entire bill (S.2662) was adopted by the Senate by a 60-30 vote.

House Action on the Clark Amendment

On February 18, 1976, HR 11963, the House version of S. 2662 was proposed to the House, and referred to the Committee on International Relations.⁷¹ The committee had

⁶⁹Ibid.

⁷⁰Ibid.

⁷¹The bill was sponsored by Representatives Morgan (D-PA), Fascell (D-FL), Nix (D-PA), Fraser (D-MN), Rosenthal (D-NY), Hamilton (D-NY), Bingham (D-NY), Ryan (D-CA), Riegle (D-MI),

already spent considerable time and effort on HR 11963, holding 28 days of hearings in November, December, January, and February. Twenty-one of those days also involved mark-up.⁷²

On March 3, 1976, the House of Representatives adopted HR 11963. This bill contained a provision similar to the Clark amendment with somewhat shorter, but perhaps more explicit hortatory matter: the President was called upon to "seek an agreement among all parties to bring an end to the fighting in Angola and support efforts by the OAU to that end," and to "take care that the United States faithfully observes a policy of nonintervention in the affairs of Angola."⁷³ With regard to aid, the House version prohibited "assistance of any kind...for the purpose...of promoting or augmenting, directly or indirectly, the capacity of any nation, group, organization, movement, or individual to conduct military or paramilitary operations in Angola" unless authorized by Congress.⁷⁴ As in the Senate version, the House amendment allowed the president to provide overt aid if he submits an unclassified report to Congress describing why his mediation efforts have failed,

Collins (D-IL), Solarz (D-NY), Bonker (D-WA), Whalen (R-OH) and Winn (R-KS).

⁷²During mark-up, the bill can be amended or rewritten according to the Committee's preferences.

⁷³Congressional Record, March 3, 1976, p. 5241.

⁷⁴Ibid.

and the reasons for and extent of assistance. Unlike the Senate version, the House did not apply the legislative veto to such an executive action. The House version also added the proviso that the aid ban did not apply to "assistance which is furnished solely for humanitarian purposes." The Senate version did not permit an exception for such assistance.

So, both versions urged the president to pursue diplomatic and regional solutions, and prohibited covert assistance of any sort. Each permitted the president to provide overt assistance upon informing Congress, but the Senate reserved the legislative veto option. Only the House version exempted humanitarian aid from the ban.

Conference Action

On March 4, John Sparkman (D-Alabama), Chair of the Senate Foreign Relations Committee, moved to disagree with the House version of S.2662 and to take the disagreements (of which there were many, and more important than the Angola question) to conference. Five days later the House followed suit.⁷⁵ The conference committee's version of the Clark amendment was a true compromise, integrating elements of each chamber's proposal. However, most of the important provisions were taken from the House version. Much

⁷⁵The conferees for the Senate were Sens. Sparkman, Humphrey, McGee, McGovern, Case, Javits, Hugh Scott, Percy, Church and Symington. The House conferees were Reps. Morgan, Zablocki, Hayes(Ohio), Fascell, Hamilton, Broomfield, and Derwinski.

of the hortatory material was lifted verbatim from the Senate version, but the aid ban was fashioned after the House plan. The legislative veto was dropped, and the humanitarian exception was retained.⁷⁶ Overall, then, the conference version was somewhat less antagonistic towards the executive branch than the Senate version would have been. Of course, the policy implication of all three versions was the same: if any one of them became law, then the president lost what he had not had since the passage of the Tunney amendment in January---the option to provide covert assistance to two of the rebel factions in Angola.

Debate over the conference report in both the House and Senate contained no reference to Angola. The conference version of S.2662 was accepted by the House on April 28, by a vote of 215-185; the Senate adopted the bill on the same day by a 51-35 margin.⁷⁷ The enrolled bill was sent to President Ford on April 29.

Executive Branch Action

About a week later, on May 7, the President vetoed S2662 on the grounds that "it would seriously obstruct the president's constitutional responsibilities for the conduct of foreign affairs" and because it made Congress the "virtual co-administrator of United States foreign

⁷⁶Congressional Record, April 6, 1976, p. 9590.

⁷⁷For the House vote see *ibid.*, April, 28, 1976, p. 11598; for the Senate vote see *ibid.*, p. 11585.

policy.⁷⁸ He did not mention the Angola restrictions in his veto message, nor were they cited in any of the press coverage of the veto. Ford's main objections (and the focus of press coverage) were to the ceilings on arms sales, the human rights standards applied to recipients of security assistance and the termination of the military assistance grants and the military advisers program.

Congressional Response

The congressional response to the veto was to direct the two foreign policy committees to rewrite the legislation to take into account some of the President's concerns. On May 19, the House International Relations Committee submitted to the full House its proposed changes in the form of H.R. 13680. These included maintaining the trade embargo against Vietnam, eliminating five of the seven legislative vetoes contained in S.2662 and deleting of the ban on aid and arms sales to countries that discriminate against American citizens. The revised bill was adopted by the House on June 2 by a vote of 255-140.

There was no mention of Angola in the committee's report nor did the subject come up during debate of the revised bill. The text of the bill reveals some changes in the Angola provision, specifically the deletion of all of the hortatory language at the beginning, thus removing from

⁷⁸For Ford's veto message see Congressional Record, May 7, 1976, p. 13053. See also Congressional Quarterly Almanac, 1976, p. 226.

the president the congressional expectation that he would actively pursue a diplomatic solution to the Angolan conflict.⁷⁹ The ban on aid with the humanitarian exception remained intact.

The Senate received H.R.13680 on June 3 and brought it up for consideration on the 11th at which time Senator Humphrey replaced it with his committee's version, S.3439, that contained the Angola language of the final S.2662 bill (that is, with the hortatory language and the humanitarian exception, but without the legislative veto). On June 14, the Senate passed its version of the revision by a 62-18 margin. Again, the Angola provision was not at all discussed during the revision process and the ensuing debate.

On the same day, both chambers requested a conference and appointed conferees, who completed their work in two days and submitted their report on the 16th. The House conferees again won the conference battle on Angola. (Here again, though, all indications are that Angola was the subject of very little discussion.) The version emerging from conference was identical to the House version that went into conference, that is, with the hortatory material removed.⁸⁰ The conference report explained the committee's

⁷⁹Congressional Record, May 19, 1976, p. 14434. For the text of the Angola amendment, *ibid.*, June 2, 1976, p. 16207.

⁸⁰*Ibid.*, June 16, 1976, p. 18739.

actions as a response to "the situation as it exists in Angola at the present time."⁸¹ It is not clear what the conferees meant by this comment. In mid-June of 1976, the MPLA was recognized by many countries, including Portugal and other European countries, as the legitimate government of Angola. The military situation had settled into a relatively low intensity guerrilla war, although levels of Soviet aid were still high and more than 10,000 Cuban troops remained in Angola. It is possible that the members of the committee realized that, in such circumstances, it would be fruitless and perhaps embarrassing to exhort the President to "do his utmost to seek an agreement among the various parties involved in hostilities or in the support of such hostilities to terminate such hostilities or such support" and to report on his efforts every thirty days.⁸²

In any event, the conference report was the subject of considerable debate in the House, none of which concerned Angola, but was adopted without change on June 22, by a vote of 258-146. The Senate, too, had some debate over the conference compromise, but did not discuss Angola, and approved the measure by voice vote on June 25. The bill was signed into law (PL 94-329) by President Ford on June 30, and the ban on aid to Angolan rebels became permanent.

⁸¹Ibid., p. 18745.

⁸²The language is taken from the Senate version of the Clark Amendment. Congressional Record, June 14, 1976, p. 18003.

CONCLUSION

This recounting of the legislative path of the Tunney and Clark Amendments yields several observations about the particular process by which these bills became laws. First, in general, the question of restricting a president's room to maneuver in foreign policy might have, under other circumstances, generated long and hard debate in Congress and heavy lobbying by the executive branch. The Tunney-Clark history reveals that the debate was relatively brief and limited to only a handful of members, and the debate got briefer and the handful smaller from one year to the next. Executive lobbying had the appearance of an afterthought from the start and became increasingly unenthusiastic as time passed, a reflection of Ford's weakness as an unelected and rather unpopular (especially since his pardon of Richard Nixon) President. Second, the degree of congressional consensus on how to handle the issue of rebel aid was striking. Although there were some vociferous opponents of the Clark-Tunney approach, throughout the process, committee support was always strong and usually unanimous, and margins of victory were always significant. Third, and also striking, is how quickly the Clark-Tunney approach became accepted wisdom. In 1975, when the issue was first broached, the question was debated on a philosophical plane...is this the proper way to deal with the Soviets...will this help or harm détente?...what is the

proper role of the United States in the Third World?....is military assistance the proper tool for fostering the success of the American-backed faction?....should there even be an American-backed faction? By mid-1976, these questions did not even appear in the short debates on the Clark amendment. Members on both sides of the issue seemed to have accepted the Clark-Tunney approach and turned their attention elsewhere.

The legislative histories of the Clark and Tunney amendments, then, reveal several aspects of the congressional policy-making process. In any one issue-area, that process is dominated by relatively few actors whose motivations and energy shape the both sides of the debate and the outcome. Which side wins is determined by a number of factors at the individual, institutional and environmental levels. The particular constellation of factors in 1975 and 1976, including active individual members, partisan and ideological balance within each chamber, executive branch activity (or lack thereof), national mood, and media attention will be discussed in detail in the next three chapters. Changes in these factors--at all three levels--explain why the strong consensus in favor of Clark and Tunney evaporated in the decade following their enactment. Those changes are the subject of the final five chapters.

CHAPTER 3

ANALYSIS OF THE TUNNEY AND CLARK DECISIONS: INDIVIDUAL AND INSTITUTIONAL LEVEL EXPLANATIONS

As noted in Chapter 1, one of the strengths of the case study approach is that it shows that individuals matter in politics. Particular people involved in a decision, acting either individually or collectively, are important determinants of political outcomes. While some issues may gain congressional attention and legislative support without a dedicated issue advocate, most need help getting on the congressional agenda and through the legislative process. Without a committed champion, some issues are never addressed. A committed opponent, on the other hand, can sometimes succeed in keeping congressional hands off an issue. One need think only of the actions of James O. Eastland, Chair of the Senate Judiciary Committee in the 1950s and 1960s, who, with the help of most Southern senators, prevented the progress of civil rights legislation through his committee and onto the floor.

The first half of this chapter will examine the motivations and actions of the major congressional players responsible for the imposition of the ban on aid to the Angola rebels. The focus will be on the issue activists who proposed and defended the ban legislation, and on the committees that served as the workplace for at least the Clark Amendment. Both the activists and the committees changed significantly in the decade between 1975 and 1985;

this is an important element of the explanation of policy change on Angola.

Individual members and committees do not, of course, make policy alone. There are institutional factors--partisan and ideological balance, and congressional rules and procedures--that exercise independent influence on congressional policy outcomes.

No matter how committed issue advocates may be, they still must build majorities. They work within an institutional context that changes as the partisan and ideological balance of the institution shifts over time. As the balance shifts, majority-building opportunities change, and with them the prospects for success for particular pieces of legislation. Individual members cannot force congressional policy to change if the partisan balance is not right. Even major changes in the environment, such as the election of a new president or some dramatic world event, may not produce the expected policy response in the face of partisan or ideological imbalances.

Procedural considerations can also influence congressional agenda setting and policy development. If, for example, a policy question arises near the end of the session, it may go unattended in the congressional rush to clear the slate before going home. And the procedurally imposed mandates of majority-building in the House, and pleasing individuals in the Senate, ensure that the final

policy product is rarely what its proponents initially envisioned.

The second half of this chapter examines the ideological and partisan composition of Congress in 1975 and the procedural constraints that influenced the outcome of the Tunney and Clark debates.

INDIVIDUAL-LEVEL INFLUENCES

Committee membership

It is a commonplace in congressional scholarship that committees play a central role in the legislative process. Most major pieces of legislation are either written or substantially rewritten in committee. It is committees that provide almost all of the precise policy proposals on which the full membership deliberates. While amendments may be successfully introduced from the floor, any large substantive piece of legislation will always bear the committee's imprint. So, the composition of relevant committees is an important determinant of the scope and contents of legislation. While it is generally the case that the norm of leadership by seniority prevents dramatic change in the policy direction of committees, the opportunity for policy change does arise when senior members leave the scene.

Nineteen-seventy-four was a year when the effect of membership change could be clearly seen. In that year, the year of Watergate, the retirement of large numbers of

relatively senior members and the defeat of almost one-fourth of incumbent House Republicans combined to produce an unusually large number of vacancies in committee leadership positions. A National Journal reporter, writing at the time, calculated that

...There will be seven new chairmen and 26 new subcommittee chairmen in the House and Senate, as well as 12 new ranking minority members of full committees, and 55 new ranking minority members of subcommittees.¹

As will be seen below, the foreign policy committees that handled the Angola amendments did not escape these changes.

Committees are important not only for their substantive work on legislation, but also because committee recommendations are very often important (sometimes the only) cues for non-committee members as they decide how to vote on the floor. In their study of congressional decision-making, Matthews and Stimson found that the reporting committee was mentioned by 86% of their sample as a cue-giver, and committee chairs were named as cue-givers by 45% of those studied. One member of the authors' sample remarked:

Every member will have someone on every committee with whom he has a close personal relationship...or confidence. We'll talk with

¹Michael J. Malbin, "Congress Report/New House and Senate favor more business regulation," National Journal Reports, November 11, 1974, p. 1729.

those members on the committee in whom we have the most respect and confidence and work it out.²

So, especially for rank-and-file members who are not particularly interested in an issue, the committee's position can be an important determinant of the final vote. With regard to the Angola amendments, the relevant committees were the Africa Subcommittees and the Subcommittees on Foreign Assistance of the House Foreign Affairs and the Senate Foreign Relations Committees.

Committee Positions on the Tunney Amendment

Although the Tunney Amendment was not a committee amendment, but was offered from the floor by a non-committee member, committee members still played a role in the final outcome. Committee specialists can serve one of two functions with regard to floor amendments: they can legitimize the amendment by speaking on the floor on its behalf, or they can delegitimize it by remaining silent or speaking in opposition. In the case of the Tunney Amendment, the relevant committees served the legitimizing function. Although Tunney was invading their turf and claiming credit for work that could have been theirs, committee members may

²Donald Matthews and James Stimson, Yeas and Nays: Normal Decision-Making in the U.S. House of Representatives (New York: John Wiley and Sons, 1975): p. 92. More recent but less systematic corroboration for Matthews and Stimson's findings comes from the National Journal: "For most members on most issues, voting is essentially a passive activity. They often are reacting to someone else's ideas--usually someone in the Administration or on the appropriate legislative committee--who give flesh and detail to sketchy legislative attitudes." Malbin, 1728.

have been sufficiently sympathetic with Tunney's goals (and aware that the political benefits of sponsoring such a vote were not significant) that they supported his maverick approach.

Of the fifty-one House members who spoke during the House debate of Tunney, ten were members of the Foreign Affairs Committee. Of those, six spoke for the Tunney Amendment (Bonker, Harrington, Solarz, Bingham, Riegle, and Lagomarsino) and four spoke against it (Findley, Broomfield, Derwinski and Biester). Of the forty-one Senators who participated in floor debate of Tunney, twenty-four spoke for the amendment, fifteen against, and two were neutral. Of those forty-one, 10 were members of the Foreign Relations Committee, of whom eight (Biden, Clark, Javits, McGovern, Humphrey, Mansfield, Case and Pell) supported Tunney and only two (Griffin and Hugh Scott) opposed.

For rank and file members looking for cues, the weight of numbers sent a pro-Tunney signal, as did the names associated with that position, especially in the Senate. There, support came from the two senior Republicans on the Committee, Case and Javits, as well as from all of the junior Democrats--McGovern, Humphrey, Clark and Biden. So, for rank-and-file members looking to the issue specialists on the committees for cues, the signal was to vote for the Tunney Amendment.

Committee Positions on the Clark Amendment

Unlike the Tunney Amendment, the Clark Amendment was committee-generated from the start, and received unanimous support from the Senate subcommittee and committee and strong support from the relevant House committees. These strong committee endorsements for Clark are surely an important part of the explanation for the lack of debate on the amendment during what was an otherwise lively and divided session on the bill to which it was attached. (See chapter 2.)

Composition of the Committees

The make-up of the foreign policy committees in 1975 and 1976 explains in large measure the relatively easy times these two amendments had. In particular, the ideological cast of the relevant subcommittees made it likely that such ideas as limiting covert action and constraining executive power would be on the agenda and would receive strong support.

The House Foreign Affairs Committee

If the Angola aid ban would have a difficult time anywhere in 1975, it would be in the House Foreign Affairs Committee (HFAC) which had a tradition of deference to the executive and a chairman, Thomas E. ("Doc") Morgan (D-PA) who was pleasant and unassertive.³

³Richard F. Fenno, Jr., Congressmen in Committees (Boston: Little, Brown and Company, 1973):29.

Fenno notes that during most of Morgan's tenure as chair (1958-1976), he believed that the committee was "the subordinate partner in a permanent alliance with the executive branch..." and that it was his role to seek bipartisan consensus support for the administration's initiatives.⁴ Unlike J. William Fulbright (D-AR), who was Morgan's Senate counterpart until 1975, and who, along with whatever President was in office, dominated the foreign policy spotlight during the 1960s and early 1970s, Morgan did not have a foreign policy vision that he sought to implement, nor did he have a taste for attention.

While Morgan's approach to the executive branch was one of obeisance, his leadership style vis-a-vis his fellow committee members was egalitarian. He encouraged open discussions, and discouraged attention to rank and seniority. In Fenno's study of Congressmen in committees, Morgan is described by his committee colleagues in terms used in no other case: kind, nice, gentle, kindhearted, tolerant. According to Fenno, Morgan's major technique for running the Committee was "to bend over backward to let every one have his say and to keep a fairly loose rein on the members, who say: 'He is tolerant...He lets everybody talk himself out.'"⁵

⁴Ibid., 72 and 90.

⁵Fenno, 134.

By the mid-1970s, however, HFAC was changing. Morgan's committee took criticism for its hands-off approach to the Vietnam War. The internal diffusion of power in the House that came with the 1971 Democratic reforms produced in HFAC, as everywhere else, a "revivified set of subcommittees", some of which were chaired by "younger, restless members".⁶

Morgan's leadership style made it possible for these members to have real influence. According to Fenno, Chairman Morgan:

anxious as always to maintain harmonious working relationships inside the group, ha[d] given his approval to the new internal arrangements..He seem[ed] willing, if not anxious, for his Committee to be both active and independent to a greater degree than previously.⁷

Victor Johnson's application of Fenno's conclusions to the post-Vietnam HFAC found that committee to be much less deferential to executive wishes. While Fenno found that the main decision rule of the HFAC was to "support all executive branch requests," Johnson found that the mid-1970s brought a new "strategic premise": to seek to exercise an independent and critical voice in the formulation of American foreign policy."⁸ An interview with a Democratic member of the committee produced this quotation:

⁶Fenno, 284.

⁷Ibid., 284-286.

⁸Victor C. Johnson, Congress and Foreign Policy: The House Foreign Affairs Committee and the Senate Foreign Relations Committee (Doctoral Dissertation, University of Wisconsin, Madison, 1975):98.

The function of the House Foreign Affairs Committee is to take a position on policy...and to do everything we can to get the President to adopt our views."⁹

As Table 3.1 shows, the membership of the Committee in 1975 was mixed ideologically. The National Security Index (NSI) score for each member is compiled by the American Security Council which is described as "pro-strong defense. The Council feels that American security is best preserved by developing and maintaining large weapons systems."¹⁰ Generally, the higher the score, the more conservative is the member on foreign policy issues.

It is clear from Table 3.1 that the more senior members of the Committee, including the Chair and ranking Republican, were, for the most part, the more conservative members. But the members most interested in Africa policy, Representatives Harrington, Bonker, Ryan, Riegle, Fascell, Solarz, Diggs, and Fraser, were from the junior and more liberal ranks of the committee. Again, given Morgan's leadership style, it is not surprising that the views of these men, as expressed in the House versions of the Tunney and Clark amendments, prevailed.

Senate Foreign Relations Committee

If, in the mid-1970s, a challenge were to be mounted to a presidential foreign policy initiative, one might expect

⁹Ibid.

¹⁰Michael Barone and Grant Ujifusa, The Almanac of American Politics 1994 (Washington: National Journal, 1993):xv.

that the Senate Foreign Relations Committee would have been the source. Because the Senate had clear constitutional prerogatives in foreign policy (advise and consent on treaties, and approval of diplomatic and other foreign policy appointments, most notably), members of the SFRC tended to see themselves as better-equipped than their House counterparts to challenge executive authority.

Fenno found an evolving series of strategic premises guiding SFRC behavior in the post-war era. First, the period between the end of World War II and the mid-1960s was one of conditional support for the president. The condition was consultation. During this period, Chairman Arthur Vandenberg (R-MI) worked closely with presidents of both parties, and worked hard to keep his committee united behind the president's policies. This period was followed by what Fenno calls "policy individualism," in which members' disagreement with President Johnson's Vietnam policy, combined with their sense that he was violating the promise to consult, led members to "repair to their individual views."¹¹ The third period, beginning with the initial public hearings on Vietnam in 1966, found the committee attempting to reassert its function as the place in which the constitutional foreign policy powers of the Senate were exercised. The extent and direction of this effort was guided by Chairman Fulbright.

¹¹Fenno, 163-164.

According to Fenno, Fulbright himself was a policy individualist described by his colleagues as a "brilliant," "intelligent" legislator who devoted "nearly all his energy to the field of foreign policy," but who "as a committee chair, [is] lousy."¹² According to Fenno's interviews:

[H]e has a brilliant mind and the best understanding of these things in the Senate. But he hasn't organized the Committee. He doesn't try to get a majority behind him...

All the Committee does is talk. It doesn't act. It's the Chairman's fault. He's a loner and he controls the Committee.¹³

Under Fulbright's leadership, the SFRC had only "consultative" subcommittees that could not hold public hearings or consider legislation without the Chairman's approval. Under these circumstances, it was certainly possible for initiatives such as the Clark amendment to develop, but difficult for them to find their way out of a committee as disorganized and centrally-controlled as the SFRC was in the Fulbright era.

Fulbright was defeated in the Arkansas Democratic primary in 1974, in large measure because his single-minded focus on foreign policy resulted in a neglect of his constituency. His replacement as Chair was Senator John Sparkman of Alabama who, according to National Journal, "supports the Administration's foreign policy more

¹²Fenno, 189.

¹³Fenno, 189.

unquestioningly than Fulbright, [but] is more likely than Fulbright to give Administration critics a chance to operate through active subcommittees.¹⁴ Sparkman was 76 in 1974 and had made clear his intention to retire in 1976. Also clear was his lack of interest in dominating the Committee's agenda and actions. "The Foreign Relations Committee," Sparkman told the Huntsville Times, "is made up of individual members who have their individual views."¹⁵ Sparkman would not be the kind of chairman who would use his institutional position to interfere with legislation contrary to his preferences. Initiatives from within the committee (like Clark's) and from without (like Tunney's) would find no obstacle in the Chair.

As noted above, Senate subcommittees were not important actors on foreign policy in the mid-1970s, but there was an African Affairs subcommittee of six members: Democrat Dick Clark of Iowa in the Chair, with fellow Democrats Humphrey and Biden and Republican James B. Pearson of Kansas as ranking member joined by Robert Griffin of Michigan and Howard Baker of Tennessee for the minority party. Clark's role in this legislative drama is clear; Pearson, who might have been expected to act as the administration's voice on the issue, did not. In fact, Pearson voted with Clark on

¹⁴National Journal Reports, November 16, 1974, p. 1734.

¹⁵Cited in Michael J. Malbin, "Congress Report/Major Shifts coming in leadership of committees," National Journal, July 27, 1974, p. 1115.

every vote taken on both the Clark and Tunney amendments. Griffin was the administration's point man on Angola. He proposed the substitute amendment to fend off Tunney's; it failed. He ran the Administration's temporary filibuster of the amendment. His efforts were unrewarded. (See Chapter 2.)

The Subcommittee that had the largest role in the adoption of the Clark amendment was not the Africa Subcommittee, but the Subcommittee on Foreign Assistance, whose role was to mark up S. 2662 to which Clark was attached. The subcommittee held hearings on the amendment (see Chapter 2), and approving it unanimously on December 16. The unanimity is in part explained by press attention to the issue and by the administration's mishandling of its testimony before the subcommittee, but it was also the result of the ideological cast of the committee. The subcommittee was chaired by Humphrey; the ranking minority member was Case of New Jersey. The other five members were: Frank Church (ID), Gale McGee(WY) and George McGovern (SD) for the Democrats, and Jacob Javits (NY) and Hugh Scott (PA) for the Republicans. As Table 3.2 shows, five of these seven members, including the two leaders, could be considered foreign policy liberals (with NSI scores of less than 50).

With regard to the overall membership of the Senate Foreign Relations Committee, Table 3.2 reveals that in 1975,

Table 3.1Members of the House Foreign Affairs Committee, with NSI Scores, 1975

Democrats	NSI Score	Republicans	NSI Score
Thomas E. Morgan(PA)	57	William S. Broomfield(MI)	89
Clement Zablocki(WI)	60	Edward Derwinski(IL)	100
Wayne Hays (OH)	89	Paul Findley(IL)	50
L.H. Fountain (NC)	30	John Buchanan (AL)	100
Dante Fascell(FL)	30	J. Herbert Burke(FL)	80
Charles Diggs, Jr.(MI)	30	Pierre DuPont IV(DE)	60
Robert Nix(PA)	43	Charles Whalen (OH)	100
Donald Fraser(MN)	10	Edward Beister(PA)	50
Benjamin Rosenthal(NY)	10	Larry Winn, Jr.(Ka)	88
Lee Hamilton(NY)	33	Benjamin Gilman(NY)	100
Lester Wolff (NY)	20	Tennyson Guyer(OH)	90
Jonathan Bingham(NY)	10	Robert Lagomarsino(CA)	100
Gus Yatron(PA)	50		
Rod Taylor(NC)	100		
Michael Harrington (MA)	10		
Leo Ryan (CA)	20		
Charles Wilson (TX)	90		
Donald Riegle,Jr.(MI)	14		
Cardiss Collins(IL)	20		
Stephen Solarz (NY)	20#		
Helen Meyner(NJ)	0#		
Don Bonker (WA)	20#		

1976 scores

N.B. In the 1974 election, the Committee lost three Democrats--John Culver (of Iowa, NSI rating of 0), John W. Davis (of Georgia, NSI rating of 100), and Ogden Reid (of New York, NSI rating of 20) and four Republicans--Peter Frelinghuysen (of New Jersey, NSI rating of 89), H.R. Gross (of Iowa, NSI rating of 40), Robert H. Steele (of Connecticut, NSI rating of 88) and Robert B. Mathias (of California, NSI rating of 100). The average NSI rating of those leaving the committee was 62.4. Those who replaced them--Solarz, Meyner and Bonker (with three long-standing Democratic vacancies and no new Republican members) had an average of 10, a clear shift to the left from their predecessors.

Sources: For committee membership, Congressional Directory, 94th Congress, 1st Session (Washington, D.C.: US Government Printing Office, 1974): p. 289; for NSI ratings, J. Michael Sharp, The Directory of Congressional Voting Scores and Interest Group Ratings (New York: Facts on File Publications, 1982): passim.

Table 3.2Members of the Senate Foreign Relations Committee, with NSI Scores, 1975

Democrats	NSI Score	Republicans	NSI Score
John Sparkman(AL)	100	Clifford Case(NJ)	20
Mike Mansfield(MT)	0	Jacob Javits(NY)	33
Frank Church(ID)	0	Hugh Scott(PA)	78
Stuart Symington(MO)	0	James Pearson(KN)	57
Claiborne Pell(RI)	10	Charles Percy(IL)	44
Gale McGee(WY)	86	Robert Griffin(MI)	80
George McGovern(SD)	0	Howard Baker(TN)	100
Hubert Humphrey(MN)	0		
Dick Clark(IA)	0		
Joseph Biden(DE)	11		

*In the 1974 election, the Committee lost one Democrat, the Chair, J. William Fulbright of Arkansas (NSI score of 14), and one Republican, George D. Aiken (NSI score of 60) of Vermont, who was the ranking Republican on the Committee.

Sources: See Table 3.1.

the Committee was similar to the HFAC in that the Democrats tended to be quite liberal on foreign policy and the Republicans quite conservative. On the Republican side, however, the most senior members were the most liberal, further reducing the chances that President Ford's proposals would be defended by the policy experts of his party. For the Democrats, Chairman Sparkman was by far the most conservative, but as argued above, perhaps one of the least relevant members of the SFRC.

In 1975, the committee system provided a friendly environment for policy proposals from policy mavericks whose aims were to limit executive power and reassert congressional dominance.

A Note on the Congressional Black Caucus

By last count, there were approximately 120 informal legislative caucuses in the American Congress. These internal interest groups represent a variety of interests from the Conservative Democratic Forum and the Northeast-Midwest Republican Coalition to the House Footwear Caucus and the Senate Wine Caucus.¹⁶ According to Davidson and Oleszek, the legislative impact of these groups is unclear. What is clear is that the groups can bring certain issues to the attention of the Congress, do serve as contact points for the executive branch, can be active in

¹⁶For a comprehensive list, see Table 10-4 in Congress and Its Members, 3rd Edition, Roger H. Davidson and Walter J. Oleszek, (Washington, D.C.: CQ Press, 1990):296-7.

developing legislative strategy and building coalitions, and do provide a forum for focused consideration of a particular set of issues.¹⁷

The Congressional Black Caucus is a bipartisan, bicameral group that was founded in 1971

in part in response to renewed interest among blacks in electoral politics and in part a response to the Nixon Administration's unofficial policy of "benign neglect of African-American policy preferences."¹⁸

Until 1988, caucus membership was open to blacks only. Since then, the caucus has accepted whites as non-voting associate members who are excluded from closed door meetings.¹⁹

According to Ripley

the caucus is unusual in that it is more important outside Congress than inside. It has sought, with considerable success, to be recognized as a leading national black organization that is legitimate in speaking for the concerns of black persons in a general sense.²⁰

According to Swain, most analyses of the Caucus have found that it has made "little difference on policy outcomes" and that its primary achievement has been to

¹⁷Ibid., 298-9.

¹⁸Carol M Swain, Black Faces, Black Interests: The Representation of African Americans in Congress (Cambridge: Harvard University Press, 1993):39.

¹⁹Ibid., 38.

²⁰Randall B. Ripley, Congress: Process and Policy, Fourth Edition (New York: Norton, 1988):283.

"negotiate for greater black inclusion in the institutional structure" of Congress.²¹

Swain's analysis of the representation of black interests in Congress does not include foreign policy among those interests. Her list of issues of concern to African-Americans includes unemployment, poverty, education, health care, drugs and crime.²² Swain notes that the Caucus supports legislation in all of these areas and also "takes positions bearing on the interests of people elsewhere in the world," including the victims of apartheid and the Palestine Liberation Organization.²³

The Caucus did take a clear position of strong support for the Clark Amendment. Representative Charles Diggs, Jr., the Chair of the Black Caucus in 1976 had the following to say about the Ford Administration's policy in Angola:

The American intrusion in the Angolan conflict is the biggest blunder in the history of its relations with Africa and may be the most serious foreign policy miscalculation it has ever made.

The error of allowing U.S. policy to converge with that of white supremacist South Africa was compounded by the covert nature of the operation.²⁴

²¹Ibid., 39. Swain notes that by 1989, one-quarter of all standing committees in the House were chaired by blacks.

²²Ibid., 9.

²³Ibid., 12.

²⁴Michael T. Kaufman, "2 Angolan Regimes Reported Seeking to Join OAU," New York Times, January 12, 1976, A1.

In terms of lobbying activity in the name of the Tunney and Clark amendments, according to the Washington Post, the Caucus issued a statement on December 17, two days before the vote on the Tunney amendment, urging that American involvement in the Angolan civil war cease and that the Ford administration use all diplomatic means available to obtain a cease-fire. The statement was also critical of what it described as the "implicit" American support of South Africa in the conflict. In the article, the Post describes the caucus as "the most politically influential group of black national office holders."²⁵

But in terms of attempts to influence the voting behavior of colleagues, the Caucus's activities were minimal. The primary sponsors of both amendments were not members of the caucus and only a few lines of the Congressional Record are consumed by statements of caucus members. There is no indication that the Caucus had a lobbying strategy for either amendment, nor that it was an important part of the group of opinion leaders on this issue in 1975 and 1976. As noted above, the Caucus's agenda, and the concerns of its constituency, were primarily domestic in the mid-1970s. And, despite his strong public condemnation of the Ford Administration's Angola policy, Caucus Chair Diggs was considered by his colleagues to be "insufficiently

²⁵Marilyn Berger, "Senate Unit Votes Angola Aid Curb," The Washington Post, December 17, 1985, A1.

aggressive" and was replaced by Louis Stokes in the late 1970s.²⁶

The Sponsors

As the above section shows, the committees in the House and Senate were either supportive of or non-committal about the Tunney-Clark measures. These were clearly not priorities of the Chair. Other members were responsible for bringing Angola to the congressional agenda and for seeing to the eventual legislative success of the ban. This section is an examination of the motivations of the two key players, Senators John Tunney and Dick Clark.

Senator John Tunney

After three terms in the House of Representatives, John Tunney was elected to the Senate in 1970 by defeating incumbent George Murphy. According to a profile in the Los Angeles Times, in 1976, Tunney was perceived by his Hill colleagues as "a hard worker, a gutsy Senator".²⁷ At home in California, however, polls showed that 80% of the state's voters were unaware of his actions as Senator and he was described variously as a playboy and a dilettante (by Jane Fonda), an "accident" (by California Republicans), and "the lightweight son of a heavyweight champion" (a reference to

²⁶Swain, 37.

²⁷William Endicott, "Tunney Stresses Record, Feels He's Misunderstood," Los Angeles Times, April 13, 1976, A3.

his father, boxer Gene Tunney).²⁸ Tunney made something of a name for himself by being the first Senator to call publicly for Richard Nixon's resignation. He is also noted for switching positions three times in a month (against, for, against) on the supersonic transport.

Tunney considers the Angola amendment to be his high point as a Senator:

Winning that vote just gave me a tremendous exhilaration. To affect public policy to that extent in a way I thought was beneficial to our society, our country was the highest sense of gratification I ever had.²⁹

Tunney's own explanation for his interest in Angola fits into two of Fenno's categories of motivation (which are: to serve constituents, to improve one's stature in the Senate, and to make good public policy). According to his own account, Tunney was both pursuing a personal policy interest and meeting constituents' demands.³⁰ With regard to the former, Tunney served on the Foreign Affairs Committee in the House during which time he participated in several conferences on southern Africa. With regard to his constituency, Tunney believed that his electoral coalition expected him to pursue this line of policy. His view was that most people voted for him in 1970 because of his specific position opposing the Vietnam war and his general

²⁸Ibid.

²⁹Ibid.

³⁰Fenno, 1.

view that "it was a great mistake for the United States...to attempt to be policeman of the world..."³¹ According to Tunney,

I went into this issue [Angola] with that history and I knew that there was a substantial body of opinion in my state that believed that I should be taking a leadership role on this issue...³²

There is another, more cynical analysis of Tunney's motivations for taking up the issue of covert aid to the FNLA/Unita forces. Franck and Weisband charge that Tunney offered the amendment on the advice of his aides as a means of strengthening his left flank against a challenge for the Democratic nomination by Tom Hayden.

[Clark's] efforts to effect a phased termination of CIA involvement were suddenly outflanked by Senator Tunney, not a member of the Foreign Relations Committee but a man with a very urgent problem. The Californian was up for re-election in a tight Democratic primary, pitted against anti-war activist Tom Hayden....As a lackluster Senator, Tunney was in urgent need of instant visibility and an enhanced dove image. Angola came along like the serendipitous answer to an underdog's prayer.

Two of Tunney's young staffers originated the idea of eclipsing Hayden by projecting the embattled

³¹John V. Tunney, personal interview, January 10, 1990, Los Angeles, CA.

³²Ibid. Tunney notes that not everyone who voted for him was happy with his position on Angola. "I always thought that the Angola issue cost me 2-3% in the general election (and I lost by 1.5%), because there is a substantial body of opinion in California that is strongly anti-communist..who looked upon my amendment as a ticket to the Soviet Union to assert their [sic] dominance in southern Africa."

Tunney as the man who saved the U.S. from a secretive Presidency's latest jungle quagmire.³³

Several of the individuals interviewed for this project found Franck and Weisband's analysis to be quite plausible. Two House staffers, one Republican and one Democratic, agreed that from what they knew of Tunney, and of most members of Congress, it "sounded right" that his staff would have had a defining influence on Africa policy; "even most members of the Foreign Affairs Committee show little interest in Africa."³⁴ And, it was Mark Moran, one of the staffers in question, and not Tunney, who went on a "fact-finding" mission to Angola in January of 1976.³⁵

Not surprisingly, Tunney unequivocally rejects the claim that this was a staff-generated idea.

It wasn't Mark Moran's idea....I brought the idea to Moran...on a very personal basis.³⁶

Columnists Rowland Evans and Robert Novak also see electoral motives behind Tunney's Angola policy:

Running for re-election, Tunney has moved conspicuously to the right on socio-economic issues in keeping with the times. His leadership of the anti-CIA forces in Angola will balance that

³³Thomas Franck and Edward Weisband, Foreign Policy by Congress (New York: Oxford University Press, 1979): 51-52. The authors cite a June 1976 interview with Tunney aide Moran as their primary source.

³⁴Staff agreed to be interviewed on a "not for attribution" basis.

³⁵New York Times, January 24, 1976 and January 26, 1976.

³⁶Tunney interview.

political shift for liberal Californians spawned on Vietnam.³⁷

Tunney does acknowledge that electoral concerns were involved in his decision to take on the Angola issue.

I think that you cannot in a political context isolate out causes of motivations when there is so much intertwining ...I had won the election in 1970 because of the Vietnam issue and...as I was on the campaign trail [in 1975] I had four or five issues that I talked about but the biggest response I got was always on Vietnam, and so I began to play with that...³⁸

But with regard to the specific charge that Angola was an issue designed to fend off Hayden's challenge, Tunney is adamant:

At that time in my campaign [December 1975], Hayden was looked at as totally inconsequential....almost non-existent...he was a radical that had been arrested with Abbie Hoffman in Chicago...a guy like that in California would probably get 5% of the vote...he didn't become serious until February or March when he began spending some money on ads....³⁹

Whether Tunney was using the Angola issue to serve his electoral ends, or did in fact have a genuine policy interest in the area does not detract from the fact that he

³⁷Rowland Evans and Robert Novak, "Covert Operations: A Showdown," The Washington Post, December 25, 1975, p. A19.

³⁸Ibid.

³⁹Ibid. Later in the interview, Tunney did acknowledge that Hayden's challenge was a key factor in Tunney's defeat in the general election. "There were four or five factors in my defeat in the election with Hayden being by far the most important one in eroding my support with the liberals and I was supported rather strongly by liberals until Hayden began his rather savage attacks against me."

was clearly the catalyst for the Angola aid issue in late 1975. His particular approach--an immediate unconditional ban on aid to the rebels--was the most radical of approaches, and jumped the gun of Senator Clark who was guiding his own proposal for an indefinite aid ban through committee.

Why did Tunney choose such a radical approach? And why did the junior senator from California not accede to the judgment of his senior colleague from Iowa, who was, after all, chair of the African Affairs subcommittee?

Tunney's choice of an immediate ban on the use of funds in the FY76 defense appropriations bill was determined in part by necessity. He knew that the bill contained funds for aid to the Angolan rebels. The bill was on the Senate floor about to be voted on. Tunney considered it wise to cut the funds off right away, and debate about the wisdom of aid later. Others might have chosen a more moderate path requiring that the funds be overt, or that they be used for humanitarian purposes only, or that the president be required to report on the specific uses of the money, or that, in the case of the Clark amendment, the President be given a year to complete or shut down the operation before the congressional cut-off began⁴⁰. Tunney was inclined to the unconditional immediate ban for several reasons. First, he was ideologically predisposed to such a course of action.

⁴⁰Franck and Weisband, 51.

Second, as noted above, he was motivated by electoral concerns. Third, he was angry with the State Department and the CIA for refusing to brief him on the covert aid program. (According to Tunney, the CIA was willing to provide information about Soviet activities in Angola, but not about American activities.)⁴¹ Tunney's aide Moran said at the time, "If the CIA and State had been relatively frank with us, we might not have gone all the way."⁴²

Senator Tunney's sources of information also shaped his particular approach to the Angolan problem. Tunney had a team of legislative assistants whom he describes as "incredibly bright and energetic and anxious to make a mark."⁴³ Mark Moran was the principal staffer on the Angola issue. Described by his Hill colleagues as the "infant Secretary of State" (he was 24 in 1975)⁴⁴, Moran had been talking on an ongoing basis with "a member of the CIA on a confidential basis who had become very disenchanted with what they were doing in Angola and who had begun to give us [Tunney's office] some facts."⁴⁵ Tunney himself

⁴¹Stuart Auerbach, "Hill Group Tries to Bar Angola Aid," The Washington Post, December 16, 1975, A1.

⁴²Quoted in Franck and Weisband, 52.

⁴³Tunney interview.

⁴⁴Franck and Weisband, p. 52. The whereabouts of Mark Moran are unknown. Former Senator Tunney has lost track of him, and his name did not appear in congressional staff directories after Tunney's defeat.

⁴⁵Tunney interview.

had been talking with "experts in the field", in particular Professor Gerry Bender, whom Tunney describes as "the best source of information...a fountain of information."⁴⁶

Bender's analysis of the Angolan conflict is entirely consistent with the course of action advocated by Senator Tunney. For example, in a 1981 Foreign Policy article, Bender analyzed American policy in Angola and concluded that the CIA forced a military confrontation on the three Angolan factions, all of which were inclined to negotiate prior to American involvement.

The United States, via the Central Intelligence Agency, rejected the possibility of a negotiated settlement to the civil war....On August 20, 1975, Savimbi [leader of UNITA] told the chief of the CIA's Angola task force that "the ultimate hope for Angola still lay at the conference table..." But the CIA, determined to take a hard line....urged Savimbi toward military confrontation.

....the United States intervened in Angola with the explicit goal of making life difficult for the Soviets...Unable to gain military victory and unwilling to accept a negotiated settlement, the United States accomplished nothing.⁴⁷

With Bender as one of his primary advisers, it is not surprising that Tunney felt comfortable with the idea of an aid cut-off to the CIA-directed effort in Angola.

⁴⁶Ibid.

⁴⁷Gerald J. Bender, "Angola: Left, Right & Wrong," Foreign Policy No. 43 (Summer 1981):56-57. See also, Bender, "Kissinger in Angola: Anatomy of Failure," in Rene Lemarchand, American Policy in Southern Africa (Washington, D.C.: University Press of America, 1978):63-144.

The advice that Tunney was receiving from staff and experts was supported by what the Senator read in the press. In fact, it seems that a newspaper story was the catalyst for Tunney's mid-December legislative action. According to the Washington Post, Tunney first learned of the extent of CIA involvement in Angola from a December 12 story that appeared on the front pages of both the New York Times and The Washington Post that put the level of aid at \$50 million.⁴⁸ As noted in Chapter 2, these and other stories tended to focus on the covert, world-policeman aspects of the conflict, rather than on the pros and cons of aid to the rebels from a foreign policy perspective. The Washington Post story, for example, begins with the following paragraph:

American involvement in the Angolan civil war has cost almost \$50 million in a covert operation that some informed sources believe may be the biggest the United States has undertaken outside of Southeast Asia.⁴⁹

Tunney's reliance on staff, outside experts and press for information produced a different perspective on the Angola policy question than that of Senator Clark, who relied on briefings from the State Department and the CIA and his own travel to the country.

⁴⁸Auerbach.

⁴⁹Marilyn Berger, "Two Factions Get Arms, Money," The Washington Post, December 12, 1975, A1.

As to why Tunney did not defer to Clark, it appears that he was unaware of Clark's committee work on this issue. According to Tunney:

....I didn't realize at the time that I was stealing any of Dick's thunder...if Dick had been there [on the floor during the appropriations bill debate]...I would have deferred to him....I didn't realize Dick's interest until a few hours later...and then through staff he said he was interested in the issue....when my staff brought this to me I said it would make me look weak to step back, but I would be happy to have Dick co-sponsor with me, which he did...I've always thought that it was probably a failure on the part of his staff not to have notified him about this request [McClellan's request for unanimous consent]....⁵⁰

This statement indicates that Tunney was clearly an outsider on this issue. Clark had been holding hearings on Angola throughout the fall. Between July and December of 1975, more than two dozen Senators, 150 members of the House and 100 staffers were informed of the covert aid in accordance with the provisions of the Hughes-Ryan Act. Tunney was not among them. While Tunney did have a personal interest in African affairs, he was not part of the Senate's foreign policy inner circle. It is not surprising that he was unaware of actions, such as Clark's, that took place in closed hearings within that circle. (Most of the discussion of the Angolan aid question had, until December of 1975, taken place in executive session because the aid program was still technically covert.)

⁵⁰Tunney interview.

In short, Tunney's involvement in the Angola issue was based on personal rather than institutional factors, his positions were determined by his own ideology and his personalized circle of advisors, and his motivations a mixture of electoral concerns and commitment to principle. He was not a member of the relevant policy committee, but was not hesitant to try to make policy in that area. He took on the executive branch and the congressional policy specialists and won.

Although Senator Dick Clark followed a different path to his aid ban amendment, he does acknowledge the usefulness of Tunney's head-on approach. Clark had been laboring for some weeks to get his aid ban amendment out of the Senate Foreign Relations Committee. The introduction of the Tunney amendment on December 17 and the Senate Subcommittee on Foreign Assistance approval of Clark, by a 7-0 vote, on the 16th, focused the full committee's attention on the Angola issue. Clark's proposal passed by voice vote of the committee on the 18th.⁵¹

Senator Dick Clark

Dick Clark's motivations for proposing the aid ban are more obvious and predictable than those of John Tunney. Clark was chair of the African Affairs Subcommittee and thus

⁵¹Senator Dick Clark, personal interview, July 17, 1989, Washington, D.C.

an issue specialist. His political orientation was, and is, liberal.⁵²

Clark had been more attentive than any other member of either house to the developing situation in Angola. He held subcommittee hearings in early July (at which he was the only member present), received a CIA briefing in late July, and visited Angola in August. At the July briefing, Clark was told by Director Colby that the CIA was only sending arms to Zaire to replace weapons President Mobutu had sent to Angola. Colby said that no American arms or personnel would be sent into Angola. During his visit, Clark met with all three factional leaders and came away with a pair of concerns: that American arms and personnel were in Angola, and that the CIA was collaborating with the South Africans. According to John Stockwell, Clark returned with the conclusion that "we [the CIA] were secretly dragging the United States into a broad conflict with dangerous, global implications."⁵³

Clark could not take his concerns to the press because, under the provisions of Hughes-Ryan, if a member receives a

⁵²Clark was elected in 1972 after having served as Representative John C. Culver's administrative assistant from 1965 to 1972. Prior to that service, Clark was a professor of political science at Upper Iowa University. He was defeated in 1978 after only one term. Clark continues his foreign policy work at the Aspen Institute, a Washington think tank.

⁵³John Stockwell, In Search of Enemies (New York: W.W. Norton, 1978):229. Clark drew these conclusions despite the fact that the CIA had coached both Mobutu and Roberto about what they should and should not tell Clark about the CIA program. Stockwell, p. 228.

classified briefing on an issue, he takes an implicit oath of secrecy. When his private protests went unheeded by the Administration, he took the issue to his colleagues on the Foreign Relations Committee. According to Bender, upon hearing Clark's reservations about Administration policy in Angola, the Committee

decid[ed] to call Kissinger and Colby for a complete review of Angolan and African policy. The stage was set for the first major confrontation between the Administration and the Senate over Angola.⁵⁴

According to Clark, at this meeting he "embarrassed [the Administration] in front of the committee and the committee voted unanimously to report out the Clark Amendment."⁵⁵ At this point, Tunney proposed his amendment from the floor, concerning "one piece of legislation and one bit of funding." But Clark knew that "Kissinger and others would find other sources of money and other ways of doing it, so we had to write an airtight bill that said no money from anyplace could be spent for this purpose." Clark waited until the next session of Congress and walked his "airtight" bill through the door that Tunney had opened.

Individuals Matter

It is difficult to say whether or not Angola would have become an issue if Tunney and Clark had not been in the

⁵⁴Bender in Lemarchand, 97-98. For details of the Committee hearings see Chapter 2.

⁵⁵The quotes in this paragraph come from the Clark interview.

Senate or if the particular ideological composition of the relevant committees had been different. But it is clear that these two men were crucial to the enactment of the aid ban; had they not been there, perhaps others would have risen to the challenge. As we shall see, others did in later years after Tunney and Clark were defeated. And these defenders of the aid ban were crucial in fighting off a repeal effort in 1981. By 1985, they too were gone, and the new activists on Angola were on the other side of the issue. This shift in individual issue advocates is key to understanding both the substance and the timing of the policy change on Angola.

The same holds true for the committees. By 1985, the composition of the relevant committees had changed enough, particularly in the Senate, that it was unlikely that a strong challenge to repeal would come from them. And even if it had, institutional forces were at work that would undermine any committee attempts to block repeal. The next section of this chapter will examine how these institutional forces worked in 1975 and 1976 to create a climate conducive to the enactment of the Clark and Tunney amendments.

INSTITUTIONAL-LEVEL EXPLANATIONS

PARTISAN AND IDEOLOGICAL COMPOSITION

Nineteen seventy-five was not a good year for Republicans. Any Republican policy was bound to face an uphill fight in 1975. The 1974 election, which occurred

less than three months after the resignation of Richard Nixon, was a huge sweep for the Democrats who picked up forty-three seats in the House and four seats in the Senate to provide them with their biggest margins in a decade. In fact, with their 291-144 edge, the Democrats were one vote above the two-thirds margin necessary for the existence of a veto-proof House. In the Senate, the margin was smaller, but still significant at 60 Democrats, 38 Republicans, and two with other affiliations (James Buckley of New York was elected as a Conservative and Harry Byrd of West Virginia as an independent.) As Table 3.3 shows, these margins were maintained in the 1976 elections, but diminished consistently thereafter until the Senate changed partisan hands in 1980.

Of course, a partisan imbalance does not necessarily mean automatic legislative defeat for Republicans. That depends on the issue, the state of executive-legislative relations and the type of Democrats these are. Southern Democrats, for example, generally vote consistently with the Republican majority. And, in fact, in 1974 the Democrats were denied their veto-proof status in the House because of the presence of about 30 Southern Democrats "whose outlook was closer to that of President Ford than to that of the Democratic leadership."⁵⁶ There were, of course, many more

⁵⁶"The House: More than Two-thirds Democratic," Congressional Quarterly Almanac, 1974, p. 845.

Table 3.3
Partisan Composition of Congress, 1971-1986

Congress	House				Senate		
	<u>Dems.</u>	<u>Repubs.</u>	<u>Other</u>		<u>Dems.</u>	<u>Reps.</u>	<u>Other</u>
92nd (1971-2)	255	180	-		54	44	2
93rd (1973-4)	242	192	1		56	42	2
94th (1975-6)	291	144	-		60	38	2
95th (1977-8)	292	143	-		61	38	1
96th (1979-80)	277	158	-		58	41	1
97th (1981-2)	243	192	-		46	53	1
98th (1983-4)	269	166	-		46	54	-
99th (1985-6)	253	182	-		47	53	-
100th (1987-8)	258	177	-		55	45	-

Source: Norman J. Ornstein, Thomas E. Mann and Michael J. Malbin, Vital Statistics on Congress, 1989-1990 (Washington, D.C.: Congressional Quarterly Inc., 1990): Table 1-18, pp. 37-39.

Southern Democrats who voted with their party leadership. Later chapters will show that these Southerners became an important swing group in 1985 as they moved from support of the Clark-Tunney approach to support for its repeal.

Even with the help of the conservative Southern Democrats, however, the Republican Administration was bound to have a difficult time with the 94th Congress because of the nature of the freshman class. The class of 1974 in the House contained 92 new members--75 Democrats and 17 Republicans--more than any Congress since the 81st (1949-1950). Among these were replacements for 40 defeated incumbents of whom only 4 were Democrats and 36 Republicans. In the Senate, there were 11 newcomers sworn in in January of 1975, of which only 2 were Republicans. From these results, a member could safely infer that the voters were not happy with the Republican party of the mid-1970s and that perhaps members were relatively free to vote against the Administration.

Not only were there many new Democratic members, but according to Congressional Quarterly's analysis of the freshman class, many of these new members were more liberal than the losers or retirees they replaced. CQ estimated that

the Senate was likely to shift leftward by about four votes. The change in the House sentiment probably would be close to the figure of

43...because most of the new Democratic representatives were liberals.⁵⁷

And, many of the freshman Republicans were more liberal than those they replaced. Again, according to CQ, the majority of Republican incumbents defeated were conservatives. "The Republican Steering Committee, an informal organization of conservative Republicans in the House, lost 17 of its 65 members."⁵⁸ Table 3.4 is a comparison of the ideological rankings of the new members and those they replaced. Clearly, CQ's analysis is correct; the election of 1974 moved both chambers of the Congress to the left--a trend that was not sustained into the later part of the decade. This reversal will be the subject of Chapter 9.

A perusal of the names of the newcomers in Table 3.4 reveals the "new breed" nature of the class of 1974. Many of the Democrats elected were young and had come of political age in the 1960s. Some had been Peace Corps volunteers; others had served in Vietnam; some were active in the civil rights movement; and only a few had prior political experience. The new members owed little to their party and deferred only occasionally to pressure from the party leadership.⁵⁹ The election of 1974 thus represents a

⁵⁷"1974 elections: A Major Sweep for the Democrats", Congressional Quarterly Almanac, 1974, p. 839.

⁵⁸Ibid.

⁵⁹For an excellent treatment of this group, see William Schneider, "JFK's Children: The Class of '74," Atlantic Monthly Vol 263 (March 1989):35-58.

TABLE 3.4

TURNOVER IN THE 1974 ELECTION: HOUSE

<u>Outgoing</u>	<u>NSI</u>	<u>Replacement</u>	<u>NSI</u>	<u>Change in NSI</u>
John Blantik (D-MN)	25	James Oberstar (D)	10	-15
Frank Brasco (D-NY)	44	James Scheuer (D)	0	-44
Hugh Carey (D-NY)	0	Leo Zeferetti (D)	90	90
Frank Clark (D-PA)	60	Gary Myers (R)	89	29
John Culver (D-IA)	10	Michael Blouin (D)	0	-10
John Davis (D-GA)	100	Lawrence McDonald (D)	100	0
Frank Denholm (D-SD)	30	Larry Pressler (R)	75	45
Harold Donohue (D-MA)	44	Joseph Early (D)	20	-24
William Dorn (D-SC)	100	Butler Derrick, Jr. (D)	100	0
Thaddeus Dulski (D-NY)	50	Henry J. Nowak (D)	40	-10
O.C. Fisher (D-TX)	100	Robert Krueger (D)	70	-30
Tom Gettys (D-SC)	100	Kenneth Holland (D)	40	-60
Ella Grasso (D-CT)	44	Anthony Moffett (D)	0	-44
Kenneth Gray (D-IL)	60	Paul Simon (D)	20	-40
Edith Green (D-OR)	71	Robert Duncan (D)	67	-4
Martha Griffiths (D-MI)	38	William Brodhead (D)	0	-38
Bill Gunter (D-FL)	50	Richard Kelly (R)	100	50
Richard Hanna (D-CA)	25	Jerry Patterson (D)	20	-5
Julia Hanson (D-WA)	67	Don Bonker (D)	20	-47
Chet Holifield (D-CA)	63	?		
Peter Kyros (D-ME)	20	David Emery (R)	70	50
Thomas Luken (D-OH)	20	Willis Gradison, Jr. (R)	90	70
Clem McSpadden (D-OK)	80	Theodore Risenhoover	100	20
Wayne Owens (D-UT)	13	Allan Howe (D)	33	20
John Rarick (D-LA)	67	W. Henson Moore, III (R)	100	33
Ogden Reid (D-NY)	20	Richard Ottinger (D)	10	-10
John Rooney (D-NY)	100	Frederic Richmond (D)	0	-100
William R. Roy (D-KA)	40	Martha Keys (D)	0	-40
Frank Stubblefield (D-KY)	100	Carroll Hubbard, Jr. (D)	88	-12
Robert Tiernan (D-RI)	22	Edward Beard (D)	20	-2
Jerome Waldie (D-CA)	13	George Miller (D)	0	-13
Leslie Arends (R-IL)	88	Tim Hall (D)	60	-28
Lamar Baker (R-TN)	100	Marilyn Lloyd (D)	80	-20
Ben Blackburn (R-GA)	100	Elliot Levitas (D)	90	-10
William Bray (R-JN)	90	David Evans (D)	67	-23
Donald Brotzman (R-CO)	100	Timothy Wirth (D)	10	-90
Joel Broyhill (R-VA)	80	Joseph Fisher (D)	22	-58
John Camp (R-OK)	86	Glenn English (D)	90	4
Charles Chamberlain (R-MI)	90	Bob Carr (D)	20	-70
Harold Collier (R-IL)	90	Henry Hyde (R)	100	10
Paul Cronin (R-MA)	60	Paul Tsongas (D)	0	-60
Glenn Davis (R-WI)	89	Robert Kasten, Jr. (R)	90	1
John Dellenback (R-OR)	22	James Weaver (D)	10	-12
David Dennis (R-IN)	89	Philip Sharp (D)	20	-69
Peter Frelinghuysen (R-NJ)	89	Millicent R. Fenwick(R)	40	-49

Table 3.4/continued

George Goodling (R-PA)	90	William Goodling (R)	90	0
H.R. Gross (R-IA)	40	Charles Grassly (R)	80	40
James Grover (R-NY)	90	Thomas Downey (D)	10	-80
Charles Gubser (R-CA)	88	Norman Mineta (D)	10	-78
Robert Hanrahan (R-IL)	80	Martin Russo (D)	60	-20
Orval Hansen (R-ID)	89	George Hansen (R)	90	1
Lawrence Hogan (R-MD)	100	Gladys Spellman (D)	10	-90
Craig Hosmer (R-CA)	88	Mark Hannaford (D)	12	-76
Robert Huber (R-MI)	100	James Blanchard (D)	30	-70
William H. Hudnut (R-IN)	100	Andrew Jacobs, Jr. (D)	11	-89
John Hunt (R-NJ)	100	James J. Florio (D)	50	-50
Carleton King (R-NY)	100	Edward Pattison (D)	10	-90
Dan Kuykendall (R-TN)	100	Harold Ford (D)	20	-80
Earl F. Landgrebe (R-IN)	100	Floyd Fithian (D)	50	-50
Richard W. Mallary (R-VT)	70	James Jeffords (R)	70	0
Dave Martin (R-NE)	88	Virginia Smith (R)	100	12
Robert B. Mathias (R-CA)	100	John Krebs (D)	20	-80
Wiley Mayne (R-IA)	80	Berkley Bedell (D)	10	-70
William E. Minshall (R-OH)	86	Ronald Mottl (D)	40	-46
Wilmar Mizell (R-NC)	90	Stephen Neal (D)	56	-34
Ancher Nelson (R-MN)	89	Tom Hagedorn (R)	100	11
Stanford E. Parris (R-VA)	90	Herbert Harris (D)	20	-70
Walter E. Powell (R-OH)	90	Thomas Kindness (R)	100	10
Howard W. Robinson (R-NY)	40	Matthew McHugh (D)	30	-10
Angelo D. Roncallo (R-NY)	100	Jerome Ambro, Jr. (D)	20	-80
Earl B. Ruth (R-NC)	90	W.G. Hefner (D)	67	-23
Charles W. Sandman (R-NJ)	100	William Hughes (D)	60	-40
William J. Scherle (R-IA)	100	Tom Harkin (D)	0	-100
Richard Shoup (R-MT)	89	Max Baucus (D)	30	-59
Henry Smith, III (R-NY)	100	John LeFalce (D)	40	-60
Robert H. Steele (R-CT)	88	Christopher Dodd (D)	10	-78
Vernon Thompson (R-WI)	90	Alvin Baldus (D)	30	-60
David Towell (R-NV)	100	James Santini (D)	67	-33
Victor Veysey (R-CA)	100	Jim Lloyd (D)	30	-70
John Ware (R-PA)	89	Richard Schulze (R)	100	11
William Widnall (R-NJ)	90	Andrew Maguire (D)	0	-90
Lawrence Williams (R-PA)	100	Robert Edgar (D)	0	-100
Wendell Wyatt (R-OR)	80	Les AuCoin (D)	30	-50
Louis C. Wyman (R-NH)	100	Norman D'Amours (D)	90	-10
Edward Young (R-SC)	100	John Jenrette, Jr. (D)	60	-40
Samuel Young (R-IL)	90	Abner Mikva (D)	0	-90
Roger Zion (R-IN)	100	Philip Hayes (D)	10	-90
John Zwach (R-MN)	50	Richard Nolan (D)	10	-40

There were 65 decreases in NSI scores, with an average drop of 49.7 points. There were 18 increases, with an average rise of 24.8 points. Four seats showed no change in NSI.

Sources: See Table 3.1.

watershed in Congress: it produced members who could best take advantage of the series of procedural and structural reforms that had been implemented between 1970 and 1975. (See Chapter 1.) These reforms, which strengthened subcommittees, weakened committee and chamber leaders, facilitated the process of amending legislation from the floor, and opened committee and floor proceedings to public scrutiny, provided a fertile and permissive legislative environment for the "new breed" members elected in 1974. This more Democratic, liberal and "bottom up" situation was perfect for John Tunney, the freshman Senator from California. It is no surprise that his amendment fell on receptive ears.

PROCEDURAL CONSIDERATIONS

Procedure can be a deciding variable in some legislative decisions. Experts in parliamentary procedure can use chamber rules to delay or expedite consideration of a measure, to prohibit or ensure amendments, to limit debate to certain sections of a bill, and so on. In some cases, a bill's fate is decided by the procedural skill, or lack thereof, of its sponsor.

In the case of the Tunney and Clark amendments, procedural sleight-of-hand was not a defining element in determining the final outcome of the legislative struggle. But, there were certain procedural tactics that did work to

the advantage of the Clark and Tunney forces. And while procedure did not determine outcome, it certainly did play a role in the timing and legislative path of the amendments.

The Tunney Amendment: Senate Procedure

Senator Tunney's initial move was in fact to defend against a procedural maneuver by Administration supporters in the Senate. Senator McClellan had requested unanimous consent to limit floor debate on the defense appropriations bill to one hour. This bill contained the funds that could be used to aid the Angolan rebels. It is Tunney's view that "if they'd had only an hour to debate, they would have gotten the thing through."⁶⁰ Tunney fended off the maneuver by objecting.⁶¹ In so doing, he opened up the bill to amendments, one of which, of course was his own proposal to ban the use of any of the bill's funds for Angola.

As a non-committee member, Tunney was taking a risk by introducing an amendment to a bill crafted by committee experts over a long time. He violated the unwritten norms of deference to committee work and specialization and risked retaliation against his own committee work. However, if there ever was a time to engage in such a strategy, 1975 was it. Of the 112 proposed amendments to 42 foreign policy

⁶⁰Tunney interview.

⁶¹At the time of his objection, Tunney was one of only four Senators on the floor. It is easy to see how McClellan's tactic might have worked under those conditions.

bills in the 94th Congress (1974-1975), 74% came from non-committee members. Of those about half were adopted.⁶²

Tunney's decision to attach the aid cutoff to the defense bill as an amendment from the floor was driven by his desire to stop aid to Angola immediately. The December 12th revelation that the defense bill contained funds for such aid stimulated Tunney's attack on that bill. And, of course the Administration's own strategy of attaching the aid program, worth \$30 million, to a \$112 billion Pentagon budget was a procedural choice that was designed to increase the likelihood of success. Because the bill contained many programs that were considered immediately essential to national security, the Republicans' filibuster and veto tools difficult to use.⁶³

The most palatable alternative to the Tunney amendment was Adlai Stevenson's proposed Senate Resolution 333. This measure, if passed, would have expressed "the sense of the Senate" with respect to the conflict in Angola by urging the President to withhold assistance to any faction in Angola, calling upon other nations to do the same, advocating that resolution to the Angola conflict be handled by the United

⁶²Contrast this with the 91st Congress when only 39 floor amendments were offered to thirty foreign policy bills. Of the 39, 28 (69%) were proposed by dissident committee members. Franck and Weisband, p. 212.

⁶³Recall, from Chapter 2, that Ford did request and receive a Republican filibuster of the bill, but called it off after several days to allow defense appropriations to go forward.

Nations and the Organization of African Unity, and calling for economic sanctions against countries that persisted in intervention in Angola. Although this resolution may have represented a thoughtful and measured approach to the policy problem, from a procedural standpoint, it was dead from the start. Stevenson's resolution was free-standing and thus could easily be referred to committee for study (and end-of-session death). And it was. Because the resolution did not hold another piece of legislation hostage, the incentive to take action was lacking, even though substantively, it may have been a better piece of legislation from a substantive .

While the end of the session timing worked against the Stevenson resolution, it helped the Tunney amendment. Members of the Senate were ready to recess for the Christmas holiday. They had been spending nine or ten hours a day on floor debates. Those who wished an expeditious end to the session had Majority Leader Mansfield on their side trying to minimize the chances of extended debate. In fact, a threat from Mansfield to drop the Appropriations bill until the beginning of the next session may have been the motivating factor behind Ford's termination of the filibuster.

The Tunney Amendment: House Procedure

In the House, pro-Tunney forces were able to take advantage of two aspects of the House rules: (1) an

exception to the rule on amending appropriations bills; and, (2) the preferential motion rule.

Amendments to Appropriations Bills

A strict interpretation of House Rules would have rendered the Tunney amendment out of order as a violation of the prohibition against "legislation" on appropriations bills. That is, it is against the rules to include in, or attach to, an appropriations bill, any provision that contains changes in existing law.

Appropriations bills do not enact substantive law, or create whole programs, through their power to fund. These bills only decide how much funding a program will receive after the authorizing committees create the program, enact its substantive law, and fix a ceiling.⁶⁴

This prohibition has been subject to exceptions and end-runs throughout the history of the House. According to Tiefer, "waivers in the rule serve the function of allowing some legislative riders, but not others, depending on the will of the leadership and the chamber."⁶⁵ In the 1970s, there was a dramatic increase (consistent with the House's decentralization of power and increasing activism of junior members) in the use of these riders.

Members made extensive use of the major end-run around the rule against legislation on appropriations, the allowability of "limitation" riders...provisions such as that "none of the

⁶⁴Charles Tiefer, Congressional Practice and Procedure (New York: Greenwood Press, 1989):928.

⁶⁵Ibid., 930.

funds appropriated herein shall be used for abortions."⁶⁶

The justification for permitting such "limitation" amendments was that such restrictions on spending did not actually change permanent law. The Tunney amendment was drafted to meet the "technical standards" of a limitation amendment, and thus was not out of order. At the start of debate on the amendment, Appropriations Committee Chair Mahon, who managed floor debate on the amendment and opposed the Tunney Amendment, thus did not challenge it procedurally, but instead moved "to disagree to the Senate amendment and request a conference with the Senate thereon."⁶⁷

Preferential motion rule

Mahon's motion was never considered because Representative Giaimo offered a preferential motion that, once adopted, rendered Mahon's proposal moot. According to House Rules, a motion that promise prompt resolution of the question at hand will be given preferential treatment (i.e., considered first) over motions that would take a longer time to resolve. In this case, the House had already passed the Defense Appropriations bill, and had then received the Tunney amendment to that bill. The most expeditious course of action here is to accept the amendment as is rather than

⁶⁶Ibid., 933.

⁶⁷Congressional Record--House, January 27, 1976, 1035-1036.

committing it to conference. Thus, "motions for the former course" are always be considered before other motions. So the Giaimo-Addabbo motion "to concur with the Senate Amendment" was voted on before Mahon's motion to disagree. The vote to concur was resoundingly approved (323-99), rendering the vote to disagree meaningless.

The Clark Amendment: House and Senate Procedure

The Clark Amendment required very little procedural strategizing to ensure its passage. The size of the Tunney victory margins indicated that Clark's proposal indefinitely to continue the aid ban was acceptable to the majority of the members. Like Tunney, Clark attached his amendment to a large bill with many more controversial and crucial elements to it. As the legislative history in Chapter 2 shows, this strategy minimized debate on the Angola provision. From start to finish, there was minimal talk about Clark's measure in both the House and Senate. This was partly out of a sense of *fait accompli*, and partly due to the fact that other elements of the bill, such as the removal of the trade embargo against North and South Vietnam, and a ban on security assistance to Chile were much more controversial and the focus of most of the floor debate.

Otherwise, Senator Clark followed the traditional procedures. As Chair of the Senate Africa Subcommittee, Clark was the proper one to propose the amendment and did so in committee. He held many days of hearings on the subject,

and wrote an extensive report for his colleagues' consideration. While the fate of the Clark Amendment was tied to the fate of a very controversial bill that had to be rewritten to overcome the President's concerns, procedural factors were not important in the final acceptance of the Clark Amendment per se.

CONCLUSION

While procedural factors may have enhanced the chances of success for both Tunney and Clark (and especially the former), it is likely that both would have passed had the procedural dynamic been different. The atmospherics and the political environment were such in 1975 and 1976 that the issue of a ban on aid to Angolan anti-communists would have been a winner even in the hands of a procedural illiterate. As we will see in the next chapter, the prevailing "mood", both on Capitol Hill and among the general public, ran strongly against intervention in foreign conflicts, in particular those that smelled like Vietnam. The media in some measure created this mood and in large measure sustained it. The president was politically weak and his administration was divided on the question. Nineteen seventy-five was simply not a good year to bring up the issue. And as noted above, the 94th Congress, with its political and personal characteristics, was a hostile audience for the idea of aid to anti-communists in Angola.

CHAPTER 4

ANALYSIS OF THE TUNNEY AND CLARK DECISIONS: ENVIRONMENTAL INFLUENCES--ATMOSPHERE, PUBLIC OPINION AND THE MEDIA

This chapter examines the impact of three elements of the decision environment that shaped congressional decisions on Angola in 1975 and 1976: atmosphere or issue context, public opinion and media attention. These three factors, along with the two considered in the next chapter (the executive and interest groups) are external to Congress, but constitute the environment within which congressional policy is made. They are the raw material from which members form their perceptions of the issue at hand. The section on atmosphere concerns those aspects of the world out there that shaped member thinking on Angola in a way that made passage of Tunney and Clark possible. The section on public opinion outlines how the public received and responded to information about Angola and related issues. The polls show that when people formed opinions on the issue, majorities were supportive of the Clark-Tunney approach and made members' votes for the aid ban politically cost-free. The discussion of the media's treatment of Angola reveals that the media played a key role in drawing congressional and public attention to the issue, and generally created or at least supported the impression that American involvement in Angola was a bad idea.

ISSUE CONTEXT

Many congressional scholars have studied how the context within which a decision is made, or the way an issue is defined, influences the outcome of the decision process. While it may seem obvious that issue context is an independent variable in the decision-making equation, there are many studies of congressional behavior that do not take the nature of the issue into account. These studies are part of what Kozak calls the "determined actor paradigm."¹ Adherents to this paradigm assume that there is a general model of congressional decision behavior that can be discovered by studying (statistically or otherwise) the relationship between member characteristics and voting behavior. According to this model, members' positions on issues are, to a large extent, predetermined by their party, their constituents, their position in the leadership structure, their geographic orientation, or some other objective variable.

For Kozak, the "contextual decision-maker" paradigm is a theoretical leap ahead of the "determined actor" perspective because it carries the

strong assumption that legislative decision-making is best understood in terms of issue variations, not actor variations, though to be sure actor differences are acknowledged as important.²

¹David C. Kozak, Contexts of Congressional Decision Behavior (Lanham, MD: University Press of America, 1984):8.

²Ibid., 12.

As noted in Chapter 1, this contextual or conditional theory of decision-making is held by such scholars as Lowi, Clausen, Ripley and Wilson.³

These scholars developed their theory by examining different types of questions and observing variations in congressional decision processes from one type of question to another. Clausen, for example, compared decision processes by policy area (civil liberties, agriculture, government management, etc.) and found that different types of actors (the President, vs. committee chairs, vs. party leaders, for example) were important influences on different types of questions. Kozak compared "hot" and "low-grade" issues and concluded that members "will be more likely to engage in cue-taking on low-grade issues, while on hot issues members are more likely to make an ideological vote."⁴

While each theorist in this school of thought has a different way of defining context and a different method for drawing the connection between issue context and congressional decisions, they all agree that the nature of the issue is an important variable. For purposes of this

³Aage R. Clausen, How Congressmen Decide: A Policy Focus (New York: St. Martin's Press, 1973); Theodore Lowi, "Public Policy, Case Studies and Political Theory," World Politics 16(1964):677-715; and James Q. Wilson, American Government: Institutions and Politics, 4th ed. (Lexington, MA: D.C. Heath and Co., 1989):429. The Wilson book, although an introductory level textbook, provides the most comprehensive treatment of Wilson's typologies.

⁴Kozak, 150.

study, issue context is taken to mean that collection of attitudes and perceptions that shape how members of Congress understand the question of aid to the Angolan rebels. As these attitudes and perceptions shift over time, so do members' positions on the Angola question.

The elements the Angola issue context are: the war in Vietnam, attitudes about the executive branch, the Central Intelligence Agency and the Soviet Union, and opinions about South Africa.

In 1975, these contextual, or atmospheric, influences that shaped members' perceptions of, and reactions to, the Angola issue in a way that benefited the cause of Senators Clark and Tunney. The recent end of the war in Vietnam, distrust in the executive branch as the result of what Wattenberg calls the "trauma twins", Vietnam and Watergate⁵, the recent conclusion of congressional investigations into the operations of American intelligence agencies, the breakdown of consensus on containment as the defining foreign policy concept, and increasing animosity towards the apartheid regime in South Africa were all elements that framed the congressional debates about Angola and determined, at least partially, members' thinking and voting on the issue.

⁵Ben J. Wattenberg, The Good News Is the Bad News Is Wrong (New York, Simon and Schuster, 1985):324.

It is important to note that while there were at least two interpretations of each of these issues, in 1975 one set of views was held by a clear majority and was reflected in the final outcome of the Angola debate. That package of perspectives can be characterized as anti-Vietnam, anti-executive, anti-CIA, anti-containment⁶, and anti-South Africa.

By 1985, this attitudinal context had been dramatically transformed, and with it members' perceptions about the Angola question. These shifts in context, discussed in Chapter 8, are one of the central reasons for the reversal in congressional Angola policy in that year.

The legacy of Vietnam

With hindsight, it is easy to see that President Ford could not have chosen a worse time (1975), a more questionable method (covert military assistance), and a more provocative goal (the overthrow of a local Communist movement) than he did in Angola. For both policy-makers and the public, the memory of Vietnam was still crystal clear. The last American ground forces had left South Vietnam in March of 1973 and the embassies in Saigon and Phnom Penh had been ordered evacuated by President Ford in April of 1975.

⁶Or at least in favor of "finite" as opposed to "extended" containment. See Charles Wolf, Jr., "Extended Containment" in Aaron Wildavsky, ed., Beyond Containment: Alternative American Policies Toward the Soviet Union (San Francisco: ICS Press, 1983): 147-68; and, Stephen M. Walt, "The Case for Finite Containment: Analyzing U.S. Grand Strategy," International Security 14 (Summer 1989): 5-49.

In that same month, after years of American commitment and the expenditure of billions of dollars and thousands of lives, both South Vietnam and Cambodia fell to the Communists.

The "lessons of Vietnam" pervaded every aspect of the debate on Angola, and had a powerful influence on the decisions of many members. One analyst of Congress summarizes the Vietnam syndrome this way:

The Congressional response to regional tensions was shaped to a large degree by the perceived lessons of Vietnam, with a majority appearing determined to ensure that local conflicts would not lead to escalating American involvement. Sentiment seemed to run against matching Soviet involvement in areas that were outside of traditional American interest spheres, including Angola....⁷

Several excerpts from the House and Senate records of the Tunney amendment debates reveal the shadow that Vietnam cast on the thinking of members:

If we have learned anything from Vietnam it is that the United States cannot police the world. Any effort to do so in Angola without full public and congressional acceptance cannot be sustained--and should not be sustained.

--Senator Ted Kennedy (D-MA)⁸

....I am against our intervention in the affairs of two of the three tribal elements within Angola;... in my opinion the national interest and security of this country are not involved in the events in Angola; and I wish to say that I can see many parallelisms between this situation and the beginning of the adventure in Vietnam.

⁷Joshua Muravchik, "Reading the Barometer: Sea Change in the Senate," The Washington Quarterly (Autumn 1980): 95.

⁸Congressional Record--Senate, December 18, 1975, 41625.

--Senator Mike Mansfield (D-MT)⁹

...Angola sneaks up on us day by day. It is not Vietnam, but then, at one point, Vietnam was not the disaster that it became...if we confront blatant Soviet intervention in Angola with a parallel response by escalating support for one faction or another, we admit that Vietnam and Laos taught us nothing and that we are back to fighting surrogate wars in parts of the world where we have no national interests.¹⁰

--Rep. Don Bonker (D-WA)

One of the most striking aspects of the Vietnam syndrome was the emergence in Congress of what might be called neo-isolationist sentiment among congressional liberals, who had traditionally advocated an internationalist approach to foreign policy.¹¹ Again, excerpts from the debate over the Tunney amendment reveal this sentiment. Senator Joseph Biden (D-DE) asked his colleagues to consider the implications (or lack thereof) of a Soviet client state in southern Africa.

How would that affect our interests? ...[W]hat difference does it make to us? What difference should it make to us?¹²

Senator George McGovern (D-SD), lobbing a friendly question at Senator Tunney, asked:

⁹Ibid., December 19, 1975, p. 42210. Emphasis mine.

¹⁰Congressional Record--House, December 16, 1975, p. 41066

¹¹For an analysis of this attitude, see Muravchik.

¹²Congressional Record--Senate, December 17, 1975, p. 41198.

...[W]hat difference does it really make to the security of the United States whether the MPLA or the FNLA or the so-called UNITA group wins? Why do we really care in terms of anything that affects the interests and well-being of the people of the United States--or, for that matter, the interest and well-being of the people of Africa?¹³

To which Tunney responded:

..[I]t is clear to me that there is no real foreign policy interest which justifies the United States pouring tens of millions of dollars, and perhaps eventually, hundreds of millions of dollars, down a rathole, causing more death and destruction in that country, siding with South Africa in a way that is going to alienate all the other black African nations.¹⁴

There were, of course, dissenting voices who learned different lessons from Vietnam, or who did not see the Vietnam analogy applying in the case of Angola. One Senator Adlai Stevenson III (D-IL), who proposed the unsuccessful sense of the Senate resolution (S.Res. 333) that advocated the use of economic sanctions and international organizations to end external interference in the Angolan conflict. (See Chapter 2.) Stevenson believed that the Tunney approach would not resolve the problem, but would simply remove the United States, and any potential influence the U.S. might have, from the conflict with little regard for the outcome. In an eloquent and well-reasoned speech

¹³Ibid., p. 41201.

¹⁴Ibid.

against Tunney and for S.Res. 333, Stevenson warned his colleagues against overlearning the lessons of Vietnam:

Have we been so traumatized by the tragic American adventure in Vietnam that henceforth we are to accept Soviet military arrogance wherever it shows its head?

And,

...the Senate is in some danger of acting with emotion rather than reason, reacting to Vietnam rather than Angola.¹⁵

Senator Robert Morgan (D-NC) also argued against the isolationist tinge of the Tunney supporters and for maintaining a predominant profile in the world. Citing John Kennedy's inaugural address in which the new President promised to "pay any price, bear any burden...in order to assure the survival and the success of liberty", Morgan addressed his colleagues:

...[O]ne failure seems to erase all of our successes. Having been bitten by one dog, so to speak, we now refuse to approach any other....It is inconceivable to me that we should withdraw so completely. It seems inconceivable to me that we should have so little faith in the ability of our ideas. We made this nation into a model of freedom and prosperity. Do we now feel that our position is too weak to propagate? Do we now feel that others cannot benefit from the freedoms which have been ours to enjoy?¹⁶

In the House, support for the minority internationalist position can be seen in the statement of Rep. James Martin (D-NC) who used the domino analogy once favored by Democratic policy-makers in the 1960s:

¹⁵Ibid., pp. 41210 and 41211.

¹⁶Ibid., December 18, 1975, p. 41643.

If we turn from that responsibility [of assisting peoples who resist communism], no country in Africa, Asia, South America and perhaps even Europe will rely on us in a showdown. If we let our yearning for isolationism turn us away from the world's troubles, we will find little comfort watching the parade of falling dominoes crash in succession, closer and closer to our own--the last domino.¹⁷

Senator Jesse Helms, Republican of North Carolina, while philosophically aligned with Stevenson, Morgan and Martin, announced from the floor that he intended to vote for the Tunney Amendment as a form of protest against Secretary of State Kissinger's strategy of using support of the Angolan rebels as a means for encouraging a negotiated settlement to the conflict. Helms believed that the U.S. pursued a similar strategy in Vietnam and would always come out on the short end of such deals.

I am presently inclined... to vote for the Tunney Amendment in order to let it be known that I have no part of wasting money when the goal is to negotiate a settlement of the type which has always left the Communists in place, and given them a base for imperialist expansion.

Have we not learned the lesson of what happened in Vietnam? Do we not realize that the negotiating process for the Communists is simply a method to entrench their positions more firmly?...The comparison of Angola to Vietnam is valid only because we are making it another Vietnam. What makes it a Vietnam are the restrictions, the obstructionism, and painful trap of negotiations.¹⁸

¹⁷Congressional Record--House, January 27, 1976, p. 1053.

¹⁸Congressional Record--Senate, December 18, 1975, p. 41639.

In an obviously planned colloquy with Senator Strom Thurmond (R-SC), Helms drew the Vietnam analogy quite closely and warned against American involvement in a war that the Americans don't intend to win. Thurmond put a particularly sharp point on the analogy when he asked:

Is it true that if this country [the U.S.] had enforced the Paris agreement with regard to Vietnam, which we probably could have done by using the Air Force for one or two days to let them know we meant business, South Vietnam would be a free nation today?¹⁹

Helms' answer: "I do not believe there is any question about it."²⁰

Clearly Vietnam loomed large in the minds of members of Congress on both sides of the issue, and significantly shaped thinking and voting on Angola. The impact of the Vietnam syndrome on congressional policy was not limited to Angola. During these same several years, Congress cut defense spending, entertained proposals about severely cutting back on the American military presence in Europe, enacted the War Powers Act, and constrained the President's flexibility in the areas of arms sales and foreign aid, at times dictating which countries were ineligible for such assistance.²¹

¹⁹Ibid.

²⁰Ibid.

²¹See Thomas M. Franck and Edward Weisband, Foreign Policy by Congress (New York: Oxford University Press, 1979): Chs. 1-6.

As noted above, there were voices of dissent on all of these questions, but in 1975 and 1976, those learning the Tunney lessons were more numerous than those learning the Helms lessons, and thus the mindset of Congress clearly tended away from any involvement that bore even the slightest resemblance to Vietnam.

Congressional Attitudes about the Executive

For many members, this Vietnam experience along with the Watergate-related revelations of 1973 and 1974 engendered a profound suspicion of and animosity towards the executive branch. In his study of the 93rd Congress (1973-1974) Victor Johnson discovered that members had adopted a "new strategic premise" to govern their foreign policy behavior: members now sought to exercise an independent and critical voice in the formulation of American foreign policy.²²

This new premise emerged from: the discovery that Presidents Johnson and Nixon had not been entirely forthcoming about the extent of American involvement in Vietnam; the details of the congressional Watergate investigations of the summer of 1974; and, related to the first two, the inherent executive-legislative conflict that becomes particularly sharp when members of Congress feel

²²Victor C. Johnson, Congress and Foreign Policy: the House Foreign Affairs Committee and the Senate Foreign Relations Committee. (Doctoral Dissertation, University of Wisconsin at Madison, 1975):96.

that their constitutional prerogatives have been violated by the executive branch.²³ Some individual members, too, surely saw this period as an opportunity to enhance their own stature in the eyes of colleagues and constituents by making lots of noise about preserving the American constitution from the "imperial presidency."²⁴

Floor debates reveal the thinking of many members of Congress at this time.

It is outrageous that this administration should secretly thrust this Nation into the midst of a civil war in Angola. What kind of arrogance possesses that tiny handful of men in the executive branch who presume the right to involve us in war without consent of the Congress or the people of this nation and without bothering even to tell us. That **abuse of power** must be unequivocally repudiated.

--Senator Gaylord Nelson (D-WA)²⁵

We are dealing with an administration that is not only **depriving the Congress of its powers** over where and with whom we may go to war, but even treats its own State Department and CIA contemptuously enough to act against their advice. The Congress has abrogated its day-to-day decision-making powers in foreign policy for too long.

--Rep. Guy Lagomarsino (R-CA)²⁶

²³On the latter, see Thomas E. Cronin, The State of the Presidency, 2nd ed. (Boston: Little, Brown, 1980):139.

²⁴I thank Professor Thomas Halper for this observation.

²⁵Congressional Record, December 17, 1975, p. 41208. The emphasis in the quote is my own. This phrase had particular resonance in 1975--it was the count contained in one of the articles of impeachment voted by the House against Richard Nixon in July of 1974.

²⁶Ibid., January 27, 1976, p. 1052. Emphasis mine.

The Constitution delegates to Congress the authority to provide for the common defense and the power to appropriate funds for that and other public purposes. The Founders clearly did not intend for the President to conduct undeclared wars and provide covert aid to foreign factions without prior congressional approval, relying on a **secret slush fund** to finance his schemes.

--Rep. Robert Drinan(D-NJ)²⁷

The manifestation of these attitudes was a willingness to interfere in presidential actions that had previously been off limits to Congress. Angola provided a good, but not unique, opportunity to demonstrate that willingness. During the late and post-Vietnam period, Congress took a number of actions in a similar vein. In 1969, Congress passed the National Commitments Resolution requiring that the president inform Congress of all commitments made to other nations; Congress cut off funds for the war in Cambodia, Laos and then Vietnam; Congress enacted the War Powers Act of 1973 to increase congressional control over the introduction of American forces into hostile situations; with the Jackson-Vanik Amendment of 1974, Congress prohibited the president from granting most-favored-nation status to the Soviets unless Jewish emigration patterns improved; Congress used its appropriations power to deny specific countries foreign aid and arms and to require the president to apply a human rights standard in the granting of such aid. One final indicator of increasing congressional

²⁷Ibid., January 27, 1976, p. 1056. Emphasis mine. Again, a phrase with resonance from the Watergate episode.

foreign policy activity: in 1960, a compendium of all laws affecting foreign policy totalled 519 pages; by 1975, that total was 1856 pages; by 1978, 2299 pages.²⁸

Clearly, the Congress of 1975 was in an assertive mood and had lost some of the deferential attitude that past Congresses had shown to the executive in this policy area. Peter Rodman, writing in National Interest, summarizes the period:

The legacy of Vietnam and Watergate is an elaborate structure of constraints on presidential action to affect and maintain the balance of power: the use of force; intelligence activities and covert operations; the ability to keep secrets, arms sales; security assistance and even economic assistance, which was tied more and more to humanitarian rather than political objectives²⁹

The CIA and Covert Action

If members of Congress "learned" from Vietnam not to get involved in conflicts in faraway lands where American interests were difficult for them to discern, and learned from Watergate not to trust the President, they learned from the House and Senate hearings in the autumn of 1975 not to

²⁸Lee R. Marks, "Legislating and the Conduct of Diplomacy: The Constitution's Inconsistent Functions," in Thomas Franck, ed., The Tethered Presidency (New York: NYU Press, 1981): 204.

²⁹Peter W. Rodman, "The Imperial Congress," National Interest 1(Fall 1985):29. The literature of post-Vietnam constraints on the President is vast. See, for example, Franck and Weisband; Franck, ed.; John Spanier and Joseph Noguee, Congress, the President and American Foreign Policy (New York: The Free Press, 1981); and, Randall B. Ripley and James M. Lindsay, Congress Resurgent: Foreign and Defense Policy on Capitol Hill (Ann Arbor: University of Michigan Press, 1993).

use covert action as an instrument of American foreign policy. The Senate hearings were conducted by the Senate Select Committee on Intelligence Activities (commonly known as the Church Committee) which was formed in January 1975 after revelations in the press of the CIA's domestic spying operations. In early February the House followed suit with the creation of its own select committee, known as the Pike Committee.

Both committees began their study of CIA operations in early 1975 and held highly visible and revealing hearings in the fall. Throughout the fall, members of Congress and the public were inundated with almost uniformly negative information about the intelligence apparatus. The focus of the investigations was on both the goals and methods of the CIA and on the more general question of the wisdom of secret policy-making in a democracy.³⁰

The timing of the hearings and the release of reports must have made supporters of Ford's covert aid program very uncomfortable. On September 26, 1975, the day after the covert aid program to Angola was revealed in the New York Times, members of Congress and the public learned of hundreds of illegal FBI break-ins into the homes and offices of "domestic subversives."³¹ On November 20, the Church

³⁰The work of both committees is described in detail in Loch K. Johnson, A Season of Inquiry (Chicago: Dorsey Press, 1988).

³¹Washington Post, September 26, 1975, A1.

committee released its report on CIA assassination plots against Castro of Cuba, Lumumba of the Congo (now Zaire), Trujillo of the Dominican Republic, and Diem of South Vietnam among others.³² On November 21, Secretary of State Kissinger testified before a closed session of the Church Committee on the covert involvement in Angola. On December 4 and 5, the Committee held open hearings on CIA involvement in the fall of the Allende government in Chile in 1973, revealing, for example, that the United States had secretly spent over \$13 million in opposition to Allende.³³ And, on December 18, as members of the Senate were deliberating on the course of American policy in Angola with the vote scheduled for the next day, the Church committee released its report on covert action in Chile.³⁴

Given the critical tenor of the discussions and the nature of the findings, it is not surprising that the debates about providing covert assistance in Angola contained many unfriendly references to the CIA and covert operations and few indications of support. For example:

For more than 20 years now, we have witnessed the growing power of CIA intervention in what have been usually poorer, weaker, developing countries. Angola stands in this long tradition: Guatemala, Dominican Republic, Chile, Laos, Vietnam, and now

³²Johnson, 48-49.

³³Ibid., 145.

³⁴Ibid., see "Chronology", 280-281.

Angola. How can we forget so soon the national agony of Vietnam where CIA adventurism led us?

--Rep. Andrew Young (D-GA)³⁵

What we are really talking about is approval for spy agencies to get their fingers into the Angolan pot and salvage whatever is left to salvage.

--Rep. Joseph Addabbo (D-NY)³⁶

The anti-CIA and anti-covert action animus manifested itself legislatively in a number of forms in addition to the Clark and Tunney Amendments. The Hughes-Ryan Amendment of 1974 required that the president approve and promptly notify certain committees of Congress about all covert actions. In 1976 and 1977 as a direct result of the findings of the Church and Pike Committees, the Senate and House both established permanent committees on intelligence to provide ongoing oversight of CIA activities.

Again, in this climate of intense and critical scrutiny of the CIA, any covert aid program, however noble its end, would have faced an uphill fight in Congress.

Détente and U.S.-Soviet Relations

In 1975, there was clear evidence of significant Soviet involvement in Angola. Ten years earlier, this kind of evidence would have alarmed members of Congress and the American public and created an opinion climate that encouraged American intervention. Ten years later, the same would be so. But in 1975, many members of Congress

³⁵Congressional Record, January 27, 1976, p. 1042.

³⁶Congressional Record, January 27, 1976, p. 1036.

perceived their own country to be as great a threat to world peace as the Soviets and were opposed to using American power to resist Soviet advances. The existence of this perception is an important part of the explanation for the imposition of the Clark Amendment. The discrediting of this view by 1985 provided the justification for the amendment's repeal.

The Soviet presence in Angola was a major element of the 1975 debates on the Clark and Tunney Amendments. After all, the West had just lost Southeast Asia to Communism. Was southern Africa next? Should not the United States do something to ensure that the Soviets did not make further advances there? Were the Soviets not violating the rules of detente, according to which the United States would reward the Soviet Union with grain and other incentives if they behaved themselves on the world scene?

These points were addressed by both sides of the Clark-Tunney debates. Supporters of American withdrawal from Angola, the inclination downplayed the significance of Soviet involvement there. Senator Tunney, for example, argued from the floor that American policy in Angola ought to be made "irrespective of what the Russians do."³⁷ This argument was usually accompanied by the member's assurance that the Angolan people would not let the Soviets dominate Angola even if the MPLA did win. For example, Rep.

³⁷Congressional Record, December 18, 1975, p. 41637.

Don Bonker, a Washington Democrat, entered the following statement into the Congressional Record on December 12, 1975:

...recent history indicates the ultimately self-defeating nature of power-grabbing. Countries resent a relationship of dependence...Perhaps the Soviets are intent on asserting themselves in the likes of Somalia and Angola precisely because they have failed to achieve real footholds by their previous forays in Africa...The MPLA has established definite limits to the amount of Soviet aid it will accept...the MPLA wants to be nonaligned [sic].³⁸

But it was supporters of American involvement in Angola who made the most frequent mention of Soviet behavior. These members saw the East-West dimension of the Angolan conflict as the primary consideration and saw Angola as merely one more example of the Soviets' expansionist tendencies. Thus, they asserted that the proper response to the Angolan situation was not to remove the U.S. from it and ignore Soviet behavior there, but to punish the Soviets for violating the tenets of détente by denying them the benefits of détente. The primary focus of these complaints was a section of the Basic Principles negotiated between the Soviet Union and the United States in 1972. That section read:

The United States and the Soviet Union attach major importance in preventing the development of situations capable of causing the dangerous exacerbation of their relations. Both sides recognize that efforts to obtain unilateral advantage at the expense of the other, directly or

³⁸Congressional Record, December 12, 1975, p. 40426.

indirectly, are inconsistent with these objectives.³⁹

Much of the discussion about violation of these principles occurred during Senate debate of the Stevenson resolution (S.Res. 333) that proposed a number of sanctions against the Soviets. For example, Senator Stevenson explained his concern that the Soviets were using détente as a screen for their expansionist foreign policy:

Today, Moscow is pursuing an interventionist policy in Angola, increasing the anguish of that southern African state and escalating tensions between the nuclear superpowers at that very time when Washington and Moscow are supposedly trying to work out between them the confrontation strains of the past.⁴⁰

In the House, Rep. William Broomfield (R-Mich) expressed similar sentiments:

The tragedy of Angola...is that the Soviet Union, our ostensible partner in détente, has once again sought to exploit a regional conflict to its own advantage. Soviet actions in Angola raise serious questions about the future of détente and the purported desire of the United States and the Soviet Union to replace an era of confrontation with a search for areas of accommodation..⁴¹

Putting a sharper point on the debate, Rep. Burke of Florida argued:

We should not allow ourselves to be lulled by so-called détente so that we adopt a posture of weakness in dealing with the Communists.... We

³⁹Cited in United States Policy on Angola, Hearing before the Committee on International Relations, House of Representatives, 94th Congress, 2nd Session, January 26, 1976, p. 24.

⁴⁰Congressional Record, December 17, 1975, p. 41210.

⁴¹Ibid., January 27, 1976, p. 1049.

seem to regard détente almost as an end in itself, but to the Communists détente represents a means to an end...To the Soviets, détente represents a weakening of the so-called "imperialist" forces...in relation to the so-called progressive forces.⁴²

For procedural reasons, the Stevenson resolution never came up for a vote, but if it had it would probably have been defeated for reasons of policy. The proponents of the Stevenson approach--to solve the Angola problem by punishing the Soviets for their involvement--were, in 1975 and 1976 far fewer in number than the proponents of the Tunney approach--solve the Angola problem by removing the United States from the conflict.

These two approaches were based fundamentally different perceptions of who was the source of international difficulties. For one, the Soviet Union was the primary mischief-maker, aggressive and imperialist; for the other, it was the United States that was the problem, poking its nose into every minor hot spot, and provoking Soviet reaction. As will be seen in following chapters, subsequent events, such as the Soviet invasion of Afghanistan, served to persuade some members of the latter school of thought to transfer to the former school. This shift in perspective is a piece of the explanation for the shift in congressional policy towards Angola.

South Africa

⁴²Ibid., p. 1052.

The final recurrent contextual theme in the Angola debates is South Africa. Although the American anti-apartheid movement did not have the strength in 1975 that it did a decade later, the presence of South African troops fighting the MPLA and South African aid flowing to the FNLA-UNITA coalition did influence the debate to the benefit of the pro-Tunney forces. When testimony in a closed session of a Senate subcommittee revealed that the United States had been exchanging intelligence information with South Africa, African specialists warned Congress that this association would be the "kiss of death."⁴³

This perspective reinforced that element of the Vietnam syndrome that posited that the United States always backs the morally wrong side in these conflicts. Both Vietnam and Watergate planted in the minds of many members the sense of profound self-doubt about the rightness of American actions. The South African connection in this case underscored that doubt, and made difficult any conclusion other than that the aid program was wrong.

The South African connection also made it easier for other African and non-African countries to choose sides--whatever faction was not backed by South Africa was automatically more attractive. Thus, throughout late 1975 and early 1976, support for the MPLA in the court of world

⁴³Marilyn Berger, "Senate Unit Votes Angola Curb", Washington Post, December 17, 1975, p. A1.

opinion grew inexorably. This, too, made it more difficult for the anti-Tunney faction in Congress to argue from a position of moral strength.

The following selections from the floor debate over the Tunney amendment illustrate these sentiments:

...we must consider the impact of our actions on the rest of Africa...we would be seen as cooperating and siding with the racist Vorster government against black Africans. This would lead to a lasting distrust of the United States through the rest of Africa.

--Rep. Edward Roybal (D-CA)⁴⁴

By appearing to intervene on the side of groups backed by the South Africans we are giving black Africa what amounts to a slap in the face. We are saying to them that "we are not concerned about your fate or your fears. If we have to sign a pact with the devil to stop the Soviets in Angola we are willing to do it." I ask my colleagues, what will it profit us if we do manage to stop the Russians in Angola and further alienate the rest of Africa in the process?

--Senator John Tunney (D-CA)⁴⁵

In 1975, the perceptions of a majority of members on these five issues--Vietnam, the CIA, executive power, the nature of the Soviet threat and South Africa--tended to reinforce each other to provide a powerful inclination to vote for any bill that limited the use of American power in the world in general and in southern Africa in particular. Ten years later, circumstances had changed and the membership had changed. As a result, the majority perspective was different. This change in atmosphere,

⁴⁴Congressional Record, House. January 27, 1976, p. 1056.

⁴⁵Congressional Record. Senate. December 18, 1975, p. 41638.

combined with and reinforced by other changes discussed elsewhere, resulted in policy change. But, policy is determined by more than the ideas in members' heads, it is determined also by signals from the public, the press, the president and interest groups.

PUBLIC MOOD

As noted in Chapter 1, some analysts see congressional foreign policy behavior following, or at least influenced by, shifts in public opinion. There is, however, considerable disagreement about the degree of influence. Some scholars have found it to be slight. Others see members as guided almost blindly by constituent and electoral concerns on their foreign policy votes. William Olson, for example, concludes that the positions of members, particularly Representatives, are determined more by how a constituent might be expected to react than "in light of the trying and often delicate subtleties of diplomacy and security beyond our shores."⁴⁶ Former Secretary of State William D. Rogers agrees:

Congress cannot resist the temptation to play low politics with high policy. With the fate of the entire House in the hands of the voters every 730 days....the temptation to pander to prejudice and emotion is overwhelming.⁴⁷

⁴⁶William C. Olson, "Congressional Competence in Foreign Affairs: The Measure on Information and Analysis," The Round Table Issue #250(April 1973): 250.

⁴⁷Charles W. Whalen, Jr., The House and Foreign Policy: The Irony of Congressional Reform (Chapel Hill: The University of North Carolina Press, 1982):145.

The impact of public opinion on the Clark and Tunney amendments is unclear. Senator Dick Clark did not mention public opinion at all in his explanation of why the Tunney and Clark amendments passed. He focused more on the "mood on the Hill" and on his personal motivations as explanations for the course of events. For example, Clark said:

...the mood on the Hill was, by 1973, 1974, 1975, clearly one of how does Congress get a handle on the imperial presidency, how do we begin to check the power of the president in foreign policy...⁴⁸

Senator Tunney, on the other hand, saw at least a once-removed influence at work. He believes that he was elected to the Senate in 1970 because of his opposition to the Vietnam War in particular and for his general opposition to the role of the United States as the world's policeman. When faced with the 1975 Angola situation, Tunney took his mandate to mean that his constituents would expect him to lead a fight against a Vietnam-like involvement there. And, when asked to explain what had changed between 1975 and 1985, Tunney replied

by 1985, the people of the country had changed, and I think that the Congress basically follows the people closely...on these clearly defined issues, these war and peace issues, Congress is desperately trying to catch up with public opinion...⁴⁹

⁴⁸Personal interview with Dick Clark, July 17, 1989, Aspen Institute, Washington, D.C.

⁴⁹Personal interview with John V. Tunney, January 11, 1990, Los Angeles, CA. At other points in the interview, Tunney acknowledges the importance of other factors. His is not a single-variable explanation.

During the floor debates on Tunney and Clark, there were occasional references to the public or the American people, and what they would or would not stand for in Angola. For example, Rep. Bill Burlison, Democrat from Missouri, recounted an interchange between himself and CIA Director Colby when during a Defense Appropriations Subcommittee hearing. Burlison

reviewed [for Colby] the disillusionment, despair and disgust of the American people with the unpopular Vietnam War...alluded to the plethora of Watergate crimes which monopolized the attention of the public mind for months on end...It seems so clear to me [Burlison] that with all of this as a backdrop that the American people would never approve our support of a secret war in Africa.⁵⁰

During the same floor debate, Rep. Bella Abzug, Democrat of New York, cited the American people as a source four times in a one-minute speech. For example,

The Ford Administration has done everything in its power to thwart the will of the Congress and of the American people with respect to Angola.

We must continue to be vigilant to see that this Nation does not again conduct a secret war against the will of the American people or without its knowledge.⁵¹

In the Senate, the references to the "will of the people" are fewer and more subdued. However, unlike in the House, it is possible to find opponents of Tunney-Clark

⁵⁰During House floor debate of the Tunney amendment, Congressional Record, January 27, 1976, p. 1039. Emphasis mine.

⁵¹Ibid, 1043-44. Emphasis mine.

invoking that "will" on their side. Jesse Helms, for example, during a long floor speech in which he promised to vote for Tunney (although he opposed its spirit) in order to undermine Kissinger's approach to the Angolan conflict (that of forcing a military stalemate and a negotiated settlement), claimed that popular will was on his side:

...I am fed up with negotiated settlements..and I think the American people are tired of salami-sliced surrender carrying the inevitable enormous price tag. I think the taxpayers are sick of subsidizing Secretary Kissinger's mistakes.⁵²

On the other side of the issue, Senator Tunney occasionally alluded to the popular will. Early in the floor debate on his amendment, for example, Tunney said, "I believe the American people have made their feelings about intervention abundantly clear." He did not spell out what those feelings were but certainly implied that they were in support of his position.⁵³

Clearly, public opinion was not a dominant theme of the debates. Members' reading of the public mood may, however, have reinforced the prevailing congressional mood on the issue of covert aid. While there is no evidence that members received any mail on Angola per se or that they were reading poll data that revealed specific feelings on the issue, there are data that indicate that majority opinion

⁵²Ibid., December 18, 1975, p. 41640. Emphasis mine.

⁵³Ibid., December 17, 1975, p. 41208.

was consistent with the more general neo-isolationist, anti-executive, anti-CIA mindset that pervaded Capitol Hill in 1975 and 1976.

POLL DATA

Angola-specific data

In the only poll with an Angola-specific question, conducted by Time/Yankelovitch in early 1976, only 21% supported sending military supplies to Angolan rebels, while 59% opposed such aid "because they perceived the Angolan situation as fitting the Vietnam model too closely."⁵⁴

Poll-takers periodically ask respondents whether or not the U.S. should come to the aid of a specific country if it is attacked.⁵⁵ Neither Angola nor any other African nation has ever been included in such surveys. In a 1976 article, Bruce Russett and Miroslav Nincic attempted to extrapolate from the existing lists to the Angola case, using multiple linear regression analysis to isolate those characteristics that lead Americans to approve of military action in defense of a particular foreign country.⁵⁶

⁵⁴Daniel Yankelovitch, "Farewell to 'President Knows Best'," Foreign Affairs, Vol. 57(1978 America and the World edition):686.

⁵⁵See, for example, John E. Rielly, American Public Opinion and U.S. Foreign Policy, 1979. (Chicago: Chicago Council on Foreign Relations, 1979).

⁵⁶Bruce Russett and Miroslav Nincic, "American Opinion on the Use of Military Force Abroad," Political Science Quarterly 91(Fall 1976):411-431. The authors find that the three most important variables in determining Americans' willingness to provide help of any sort were geographic proximity, the type of regime being

Based on their analysis, Russett and Nincic predicted that 33% of the Americans would agree to send help of any sort to Angola. In their conclusion, the authors implied that Congressmembers sensed this lack of support while the Administration did not:

Awareness of the thinness of this public support might have enabled the American administration to avoid inviting a damaging public defeat in Congress.⁵⁷

Whether members were aware of their constituents' views on Angola per se, if there were such views, is not clear. What is clear is that there was ample evidence in other polls that a majority of Americans were sympathetic with the goals of the Tunney-Clark approach--avoiding American involvement in an international conflict--and the means employed to achieve those goals--Congressional restrictions on executive action.

Military involvement

A number of polls conducted by the Gallup organization during the 1973-1976 period reveal that the American public was losing its taste for military involvement and was turning its attention inward to domestic policy concerns. Much of the former attitude was manifested in feelings about the Vietnam war. In mid-1973, for example, 57% of respondents opposed the ongoing bombing of communist

assisted or opposed, and the presence of an alliance relationship with the country in question.

⁵⁷Ibid., p. 423.

positions in Cambodia and Laos in large measure because they believed that it would lead to the re-introduction of American troops into Southeast Asia.⁵⁸ A huge majority (79%) of those polled in mid-1975 opposed giving South Vietnam the \$722 million in military aid that President Ford had recently requested of Congress.⁵⁹

There is also considerable evidence of a more generalized anti-interventionist tinge to public opinion at the time of Clark and Tunney. As early as 1966, polls showed that as many as 60% of Americans believed that "the United States should not send troops if a situation like Vietnam were to arise in another part of the world."⁶⁰

Harris surveys taken in early 1975 report that the only military situation that would move Americans to support intervention was an invasion of Canada (77% supported the use of American troops in this case). Even in the case of an invasion of Western Europe, only 39% would intervene, with the numbers dropping to 14% for South Korea and 13% in Israel.⁶¹ While these numbers are hypothetical, they do give some indication of the reticence of the public to even think about international involvement.

⁵⁸The Gallup Opinion Index, #95(May 1973): pp. 17-18.

⁵⁹Ibid., #119 (May 1975): p. 4.

⁶⁰Ibid., #101 (November 1973): p. 10.

⁶¹John Taft, "Public Confused and Uncertain About Foreign Policy Role," National Journal, March 20, 1976, p. 364-365.

Attitudes about defense spending in the early 1970s were consistent with this popular desire to disengage. In October 1974, Gallup reported that "current survey evidence indicates that a dramatic change in public attitude on military spending has come about since 1960."⁶² In that year, only 18% of those polled answered that the United States was spending too much on defense. By July 1969, the percentage of respondents holding that opinion had risen to 52%; in September 1974, the number was 44%.⁶³

By the early 1970s, the American public was not only less inclined to support defense spending and commitments to traditional allies, but was also generally less interested in foreign affairs, instead turning its attention to the home front. In October 1973, Gallup reported that "the war in Southeast Asia has dominated all other worries of the public until January of the current year, when the peace settlement was reached."⁶⁴ By September 1974, a shift in focus was abundantly clear. Again, the Gallup polls revealed that "[c]oncern over domestic problems overshadow[ed] worry about international problems by the widest margin recorded in regular surveys going back to the

⁶²Gallup Opinion Index, #112 (October 1974): p. 20.

⁶³*Ibid.*

⁶⁴*Ibid.*, #100 (October 1973): p. 11.

1930s."⁶⁵ Ninety-three percent of those polled cited a domestic problem as the country's most serious problem, while only 3% cited an international problem.⁶⁶ The American public was, by 1975, neither interested in nor inclined to support international involvement.

The Role of Congress

Public aversion to military involvement and an assertive foreign policy supported the policy positions taken by Senators Tunney and Clark. At the same time, American public opinion about Congress lent support to the method chosen to implement that policy--Congressional involvement in the foreign policy decision apparatus. In an April 1973 poll, 76% of the respondents said that they thought that "further military action in Southeast Asia should require a vote of approval by Congress."⁶⁷ Several months later, in November, after the passage of the War Powers Act over President Nixon's veto, 80% of those polled replied that "the President should be required to get the approval of Congress before sending U.S. armed forces into action outside the U.S."⁶⁸ This was one of the rare

⁶⁵Ibid., #111 (September 1974): 27.

⁶⁶Ibid. See also National Journal, March 20, 1976, p. 364 for similar findings from other polling organizations.

⁶⁷Ibid., #95 (May 1973): p. 19.

⁶⁸Ibid., #101 (November 1973): p. 12. In the same poll, only 35% of those polled replied that Congress should be required to get the approval of the people through referendum before such a commitment is made. Fifty-eight percent opposed the idea.

moments when congressional involvement in traditionally executive decisions was sanctioned by the public.

In addition to revealing support for a non-interventionist foreign policy and congressional leadership in foreign policy, poll data from 1975 also indicate certain political realities that boosted the cause of the pro-Tunney forces and undermined the president's position.

Partisan Preferences

Poll data during this period reveal strong public preference for, and confidence in, the Democratic party, especially as the mid-term elections of 1974 approached. Such popularity, of course, always improves the chances of legislative success of the party so blessed. In May 1974, during the Watergate hearings, Gallup asked its subjects for whom they would vote if the November elections were held "today". Fifty-seven percent chose Democrats, 30% Republicans and 13% remained undecided.⁶⁹

During that same summer, Gallup asked its subjects which party they thought could do a better job of handling the country's most pressing problems. Here again, Democratic strength is revealed. Only 16% of those polled had confidence in Republican policy-making ability, while 38% thought the Democrats most likely to succeed. Thirty percent saw no difference in the capabilities of the two

⁶⁹Ibid, #104 (August 1974): pp. 2-3.

parties.⁷⁰ With this kind of public preference, Congressional Democrats could be a bit more bold in their attacks on Republican policies and the Republican president.

A Note on Public Opinion and South Africa

One final note on public opinion data concerns South Africa and reveals some distance between public thinking and the clear congressional animus towards the apartheid regime. South Africa appeared in a November 1976 Gallup poll that asked American respondents to rate other countries on a plus-five-to-minus-five favorableness scale. From the poll data, it appears that the average American was not nearly as negatively disposed to South Africa as were the congressional activists on the Angola issue. Fifty-four percent of those polled gave South Africa a favorable rating, 35% rated it unfavorably and 11% had no opinion.⁷¹ Another 1976 poll found that 76% of those asked believed that the United States had no more right to tell South Africans how to run their country than the South Africans did to tell Americans how to run theirs.⁷² This is an indication that the South Africa aspect of the congressional debate on Angola was not driven by a simple glance at the poll data. Many members took positions on South Africa that were different from their constituents' preferences as

⁷⁰Ibid., #111(September 1974):p. 29.

⁷¹Gallup Opinion Index, #136 (November 1976): pp. 4 and 27.

⁷²Yankelovitch, p. 687.

indicated by these data. Members were guided either by their misperceptions of majority sentiment, by their own feelings about the South African situation, or by the lobbying efforts of a small but active group of anti-South African voters.

The Opinion-Policy Connection: Conclusion

It is difficult to assess with precision the connection between what poll data say and what Congressmembers do. Members are generally hesitant to admit that they follow the polls in making decisions of international import. But it is certainly conceivable that some members might have voted against Tunney had the climate of public opinion been different. Public opinion sets the parameters within which members decide--in this case, the general feeling that foreign involvements should be avoided. With regard to specific actions considered and arguments for and against them, public opinion provides little guidance. The data discussed above indicate that in 1975 and 1976, the public mood was supportive of the kind of proposals offered by Tunney and Clark. That mood would change during the next decade and support a different and, in fact, opposite kind of action on Angola.

MEDIA ATTENTION

As noted, the "atmosphere" on Capitol Hill and the mood of the American public were important influences on the

decision to enact the Clark and Tunney Amendments. An important influence on these two, in turn, was the media's coverage of Angola and American policy there. Both the timing and content of press coverage shaped public and congressional perceptions of the issues in ways that supported the Tunney-Clark cause.

As noted in Chapter 1, the media can serve a crucial agenda-setting role when they draw congressional and public attention to an issue. With Angola, the sheer volume of coverage, once the story broke, indicated to members that this was an issue too hot to ignore.

Number of stories

Table 4.1 shows the increase in coverage of Angola during a three-year period. In 1975 and 1976, many of the stories appeared on the front page, and were covered by some of the newspapers' best foreign policy reporters. By 1975, members could not help but be aware of Angola, and were receiving increasingly detailed information about the pre- and post-independence situation there. In the late months of that year, as noted in Chapter 2, reporters began to explore the American connection to the Angolan conflict. It was this connection that caught members' attention, and started the process that led to the covert aid bans.⁷³

⁷³According to Doris Graber, newspaper readers are much more likely to pay attention to stories with "an angle that interests Americans" than to a story without such an angle. Members of Congress are not immune to this selective attention. See Doris A. Graber, Mass Media and American Politics, 3rd ed., (Washington,

The Agenda-Setting Story

The story of that focused Congressional attention on Angola was written by Leslie Gelb in the New York Times on September 25, 1975. Until that time, there was no public debate or proposed legislation in Congress about the aid program because all information that members had been provided in Hughes-Ryan briefings, the contents of which are secret.⁷⁴ The publication of the Gelb story put the Angola issue into the public domain and onto the public agenda of Congress.⁷⁵

The source of Gelb's information about the covert aid program is subject to some speculation. In the article, Gelb cites "four official sources." In trying to establish who these might be, one can only point to likely leakers and examine the various reasons each might have for leaking. What is clear is that this particular leaked story is consistent with one of the truisms about the role of leaks in Washington policy struggles: the leakers were motivated by the desire to influence both public opinion and

D.C., CQ Press, 1984):341.

⁷⁴Members attending these briefings are sworn to secrecy about the contents of the briefings.

⁷⁵Leslie H. Gelb, "US, Soviet, China reported aiding Portugal, Angola", New York Times, September 25, 1975, p. A1.

Table 4.1

Angola Stories in Major National Newspapers, 1974-1976*

Newspaper	Number of Angola Stories		
	<u>1974</u>	<u>1975</u>	<u>1976</u>
<u>New York Times</u>	9	375	542
<u>Washington Post</u>	20	227	447
<u>Los Angeles Times</u>	10	151	213
<u>Chicago Tribune</u>	1	81	162
<u>Christian Sci. Mon.</u>	12	58	85
<u>Wall Street Journal</u>	2	22	36
<u>New Orleans Times-Pic.</u>	5	73	123

Source: Indices of the newspapers. These are the only newspapers for which there are indices for these years. There are no indices for broadcast news for this period.

*This list of newspapers represents, in large part, the "prestige press" or the "media elite." While it is true that many average Americans do not read any of these papers, most members of Congress read, or have their staff read, the New York Times and the Washington Post daily. And many of the newspapers and news broadcasts that average Americans do read and watch, follow the lead of these newspapers, in particular, the New York Times. See Herbert Gans, Deciding What's News (New York: Pantheon, 1979):180.

congressional decision-making.⁷⁶ To that end, the Angola leakers were successful.

There are several possible candidates for leakers in this case. John Tunney, who first learned about the program from Gelb's September article, suggests that Gelb's information came from disgruntled CIA personnel who disapproved of the aid idea. During the period between Gelb's story and Tunney's amendment (September to December), Tunney and his staff received much of their information about Angola from such CIA people.⁷⁷

A second theory is that the story leaked from the State Department where those diplomats most familiar with Africa strongly disagreed with Secretary Kissinger's preference for viewing the Angola conflict through the lens of East-West competition and for supporting the FNLA-Unita coalition as a means for limiting Soviet influence in Angola.

Noting that this is one of the most widely known of all "covert" operations, [Senator] Clark

⁷⁶On the motivations of leakers see, for example, Martin Linsky, Impact: How the Press Affects Federal Policymaking (New York: W.W. Norton and Company, 1986): Ch. 7.

⁷⁷Tunney interview and Stuart Auerbach, "Hill Group Tries to Bar Angola Aid," Washington Post, December 16, 1975, p. A1. As noted earlier, there was apparent corroboration for this theory of CIA disenchantment during a December 16 Senate Foreign Relations Committee hearing when CIA Deputy Director for Operations William Nelson testified that CIA Director Colby himself had opposed the operation. On the 17th, Colby vehemently denied this, saying that his comments had been misinterpreted by Nelson, and Nelson's by the committee. See Marilyn Berger, "Senate Unit Votes Angola Aid Curb," Washington Post, December 17, 1975, p. A1.; and Washington Post, December 18, 1975, p. A11.

attributes the disclosures to "deep divisions" in the administration about its advisability.⁷⁸

The divisions certainly were there. In August 1975, Nathaniel Davis, Assistant Secretary of State for African Affairs resigned in protest of Kissinger's Angola policy. It was Davis' belief that whether the United States was in or out of the Angola fight, the final outcome and the impact on American interests would be the same.⁷⁹ The existence of policy disagreements within an administration is often cited as a motivator of leaks, but, of course, is not proof.

A third theory holds that the Ford administration purposefully leaked word of the covert aid program for electoral reasons. Ford faced a strong challenge from Ronald Reagan for the Republican presidential nomination. (The New Hampshire primary was February 24, 1976 and, between September and December 1975, Reagan went from a 23-point deficit in the polls to an 8-point lead). Some, but not many, have suggested that the Angola program was designed to strengthen Ford's support among right-wing Republicans, who were unhappy with Kissinger's pursuit of détente with the Soviets.⁸⁰ According to one Washington

⁷⁸Marilyn Berger, "Two Factions Get Arms, Money," Washington Post, December 12, 1975, p. A1.

⁷⁹"State Department Divided on U.S. Role in Angola," Washington Post, December 15, 1975, p. A2; and Roger Morris, "A Rare Resignation in Protest," Washington Monthly, February 1976, p. 23.

⁸⁰See, for example, an editorial in the Washington Post of September 27, 1975, p. A24, in which the author wonders (among other things) if the stories of covert aid were leaked "to

Post reporter, the "Kissinger version" of the Angola story is that

once he discovered that the Soviet-supported Popular Movement for the Liberation of Angola [MPLA] was threatening to take over that nation, he took the lead in mounting a covert U.S. operation to head it off. From Kissinger's standpoint this should dispose of the claim by right wing challengers of the Ford administration that he is too mesmerized by détente to react against Soviet thrusts.⁸¹

While it seems implausible that Kissinger would, for electoral reasons, risk the congressional reaction that revelation of the covert aid program would likely engender, there is some evidence that he and Ford underestimated the nature and volume of that congressional response. In one news story, Kissinger is described as "indignant" over the congressional reaction. Kissinger believed that he had followed all of the proper procedures for informing and consulting with Congress and had received no objections from those members of the eight Hughes-Ryan committees with whom he consulted. The report concludes: "This would not be the first time that Kissinger has miscalculated his ability to forestall a congressional explosion over secret U.S.

demonstrate that the United States can still influence farflung events."

⁸¹Murray Marder, "Kissinger Finds Election Politics Threaten Détente," Washington Post, December 15, 1975, p. A7. Emphasis mine.

activities abroad."⁸² Again, though, the evidence of a deliberate administration leak is circumstantial only.

The fourth and most likely source of the leaks that fed Gelb's story is Congress itself. The circle of Senators who knew about the covert aid program widened significantly in September 1975, when Senator Clark requested under the Hughes-Ryan procedures that the full Senate Foreign Relations Committee be briefed by CIA Director Colby on Angola. Normally, absent such a request, only Sparkman, Chair of the committee, Case, ranking minority member, and Pat Holt, Chief of Staff, would be present at such secret briefings. According to one report by Post reporter Walter Pincus, "within days of the [full committee briefing] news stories appeared about the Colby briefing and the covert operations in Angola."⁸³ Pincus speculated that Senator Clark's request for the briefing may have been motivated by as a desire to generate "wider protest" against the covert aid program. The story concluded by noting that both the State Department and the CIA complained to Senator Sparkman about the leaks, "but he did nothing about them."⁸⁴

Another piece of evidence (albeit circumstantial) that Congress was the source of leaks to the press about Angola

⁸²Idem, "Kissinger Fears Angola Uproar Can Hurt Detente," Washington Post, December 18, 1975, p. A16.

⁸³Walter Pincus, "Hill in Quandary on CIA Briefings," Washington Post, December 22, 1975, p. A16.

⁸⁴Ibid.

is the fact that once the story broke, there was extensive reporting on all of the closed congressional meetings and secret briefings that took place prior to the adoption of the Tunney amendment. Members were talking frequently and in great detail with the press about Angola, and were sharing with reporters information that was given under conditions of confidentiality. On November 8, 1975, The Washington Post carried details of a November 6 closed Senate Foreign Relations Committee briefing by Colby.⁸⁵ Two days before the Senate vote on the Tunney amendment, the December 17th edition of the Post, for example, carried a detailed description of the proceedings of "behind closed doors" CIA testimony before the Senate Subcommittee on Foreign Assistance and Economic Policy.⁸⁶ One of the disclosures in the Post was that the CIA had been exchanging intelligence information with South Africa...a double whammy that played to both the anti-CIA and anti-South Africa arguments of the Tunney supporters. The December 18th Post carried details of a "tumultuous" closed session of the full Senate.⁸⁷ The relative availability of information about these closed sessions and about the Angola situation in

⁸⁵Walter Pincus, "CIA Aid in Angola Defended," Washington Post, November 8, 1975, p. A7.

⁸⁶Marilyn Berger, "Senate Unit Votes Angola Aid Curb," Washington Post, December 17, 1975, p. A1.

⁸⁷Spencer Rich, "Senate Moves to Bar Aid," Washington Post, December 18, 1975, p. A1.

general indicates that, in all likelihood, members of both the Congress and the executive branch were using leaks to the press as a means for building both public and congressional opposition to the administration's Angola policy. According to one observer, during November and December,

there were so many leaks about American covert activities in Angola that, according to one knowledgeable source in State Department intelligence, only minor details escaped the attention of the public; "all of the essential facts were published in the newspapers."⁸⁸

Other Key Stories

In addition to Gelb's agenda-setting story, there were several other key stories in the Washington Post and the New York Times, and one key televised report on CBS that, by their timing and content, served the cause of the pro-Tunney forces.⁸⁹ On Friday, December 12, both newspapers carried stories about the magnitude of the American financial commitment to Angola.⁹⁰ The Post story by Marilyn Berger bore the headline "U.S. Angola Cost: \$50 million"; the Times story by David Binder read "Angola Reported Getting \$50 Million in U.S. Arms" with a jump to page 8 that read: "U.S.

⁸⁸Bender in Lemarchand, p. 99.

⁸⁹It is generally accepted that these two newspapers, the three networks, and the member's hometown paper are the most important sources of information used by members.

⁹⁰Marilyn Berger, "U.S. Angola Cost: \$50 million," Washington Post, December 12, 1975, p. A1; and David Binder, "Angola Reported Getting \$50 million in U.S. Arms," New York Times, December 12, 1975, p. A1.

Reported Giving Angolan Anti-Reds \$50 million in Arms Aid." Binder's sources were two "high-ranking government officials", and Berger's were "some informed sources" and "some American officials."⁹¹ The significance of these stories was the attachment of a specific dollar amount to the covert aid program. Until December 12, this was not a matter of public record. Binder's story revealed that \$25 million had already gone and the other \$25 million would be sent shortly. This fact provided Senator Tunney with a target (money) and a vehicle for his attack (amendment to the appropriations bill).

Binder's and Berger's stories also stirred up concern among other members of Congress. Speaking on "Meet the Press" on the 14th, Majority Leader Tip O'Neill said that the reports on the 12th had "really caught the House by surprise."⁹² Upon reading the stories in question, Otis Pike, Chair of the House Intelligence Committee, demanded a report from the Administration within twenty-four hours to explain: "How did we get in the position we're in? What do we do about it? Where are we going from here?" Pike added: "The youngest members of Congress that I've talked to within

⁹¹It should be noted that CIA Director Colby had briefed the House Select Committee on Intelligence on the Angola situation on Monday, December 8. Colby had been fired by President Ford in early November but stayed on until January 30, 1976 when George Bush was sworn in as the new CIA chief. Colby's attitude about congressional testimony has been characterized as "candid and cooperative." See Loch Johnson, p. 46.

⁹²New York Times, December 15, 1975, p. 10.

the last 48 hours are appalled with the fact that we're even in there."⁹³

On December 19, another key story appeared. On that day, when the Senate was scheduled to vote on the Tunney Amendment, the name of Seymour Hersh appeared above a front page New York Times article. Hersh had long been a critic of American foreign policy in general and its Nixon-Ford-Kissinger variety in particular. He broke the stories of the My Lai massacre and of the CIA's domestic spying operations, and along with Carl Bernstein and Bob Woodward of Watergate fame, contributed to the rebirth of investigative journalism and the deepening of popular and congressional suspicion of the executive branch.⁹⁴

Hersh's story, titled "Early Angola Aid by U.S. Reported," revealed that initial authorization for CIA operations inside Angola came in January 1975 when the Forty Committee (the Administration's high-level intelligence review panel) approved a \$300,000 grant to Holden Roberto, leader of the FNLA.⁹⁵ This decision was taken "more than two months before the first significant Soviet build-up." This revelation both portrays the Administration as lying (the Administration claimed that it had made the first

⁹³Ibid.

⁹⁴Loch Johnson, 9 and 11.

⁹⁵All quotations in this paragraph are from Seymour M. Hersh, "Early Angola Aid by U.S. Reported," New York Times, December 19, 1975, A1.

decision to send aid in July) and removes one of the most persuasive of Kissinger's arguments for aid--that American aid was simply in response to a Soviet build-up. Hersh cites "well-informed officials" and presents impressive details of the Forty Committee's decisions, as well as a number of criticisms of those decisions from "Senators and Representatives who have had access to secret CIA briefings on Angola," and "State Department sources."

Both the content and the tenor of Hersh's article could only serve to strengthen the conviction of aid opponents and to push waverers over the fence onto the pro-Tunney side. And there were waverers. Senator Tunney reported that on the evening of the 18th, when two dozen Senators were meeting with Secretary Kissinger on this issue (see Chapter 2 for details), he (Tunney) could see minds changing to the Administration's side as Kissinger presented his persuasive arguments for aid.⁹⁶ Such late deciders may have easily been pushed back the other way the next morning, when Hersh directly attacked the credibility of the Secretary.

When asked if the Hersh story influenced the vote on the 19th, Tunney said, "Absolutely." When asked if the timing of the article was coincidental, Tunney said, "I never knew that the article was going to appear," but he assumed that since he and Hersh were probably getting their information from the same "disgruntled CIA operatives" at

⁹⁶Tunney interview.

the same time, it is not surprising that the Hersh revelations coincided with the Tunney vote.⁹⁷

Finally, on December 17, CBS announced that it would be broadcasting a series hosted by Walter Cronkite, to be aired every night during the following week. Cronkite explained the decision as follows:

America became heavily involved in Vietnam because the government did not share enough of its decisions with the people, and the people for their part did not pay sufficient attention. We [CBS News] will try to play our small part in preventing that mistake this time.⁹⁸

Given the high status of Walter Cronkite and his word in general--his critical assessment of Vietnam policy in 1968 was taken to be a final nail in Lyndon Johnson's coffin (Johnson said, "When I've lost Cronkite, I've lost the country.")--the announcement of this series must have brought no cheer to the pro-Administration side.

Editorials

Finally, editorials in the major newspapers and members' hometown newspapers can be influential in determining a member's position on an issue, especially if he has no other information or no particular interest in the subject.

Both the New York Times and the Washington Post contained several editorials on Angola during late 1975 and

⁹⁷Ibid.

⁹⁸New York Times, December 17, 1975, p. 3.

early 1976. In most cases, these editorials were critical of the policies of the Ford administration and supportive of congressional assertiveness and the direction of congressional policy. In some cases, the timing of the editorials was propitious, at least from the perspective of the supporters of the Tunney-Clark approach.

The New York Times, while generally disapproving of the Administration's approach in Angola, kept its criticism restrained. On November 3, an editorial entitled "Civil War in Angola" appeared in the Times, and ended with the following themes (anti-Vietnam, pro-détente) which would appear several weeks later in debates in the House and Senate:

With the bitter experience of intervention in a complicated civil war in Asia, the United States should take great care to avoid involvement in this equally complex civil war in Africa. Washington might privately remind Moscow that the durability of détente may well depend on the willingness of the superpowers to refrain from meddling in such trouble spots.⁹⁹

On November 28, the Times editorial staff characterized the American response to Soviet involvement as "paltry and tardy," a seeming criticism of that response, but then wrote, "There was a time when the U.S. would have responded to such a massive and menacing intervention with its own

⁹⁹New York Times, November 3, 1975, p. 34.

show of force, but that is something that the American people would never countenance now."¹⁰⁰

On both December 16 and 17, immediately before the Senate vote, editorials appeared exhorting the Administration to bring its Angola program into the open. And, on January 28, the day after the House approved the Tunney Amendment, an editorial appeared approving of the congressional decisions to "no longer sanction what might become an open-ended commitment to a remote conflict where no US interest has been established except that of thwarting the USSR."¹⁰¹

The Washington Post was somewhat less circumspect in its criticism of Administration policy in Angola, and the timing of its editorials perhaps somewhat more calculated. On December 18, 1975, one day before the Senate vote, the Post, on the Op-Ed page, published three comments by Daniel Patrick Moynihan, then Ambassador to the United Nations, Kissinger, and Clark. The teasers at the top of each comment summarize the substance:

Moynihan: "The Communists would considerably control the oil shipping lanes from the Persian Gulf to Europe."

¹⁰⁰New York Times, November 28, 1975, p. 28.

¹⁰¹New York Times, January 28, 1976, p. 32, December 16, 1975, p. 38, and December 17, 1975, p. 44. All of the editorials cited in this section were written during the Tunney amendment period; there were none that directly addressed the issue at the time of the Clark amendment a few months later.

Kissinger: "The U.S. will try to prevent one party from achieving dominance by massive introduction of outside equipment."

Clark: "We are dangerously close to an open-ended confrontation with the Soviet Union in a country that is of no real strategic interest to either power."¹⁰²

While the presentation may appear balanced on the surface, or perhaps even biased to the Administration's side because of the two "big guns" writing, careful readers are left with an anti-administration impression because Moynihan's and Kissinger's statements were taken from remarks they had made in public fora a week earlier, while Clark's was a response invited by the Post, and thus could be, and was, a point-by-point refutation of the opposing views.

On January 15, 1976, just one week prior to the House vote, the Post ran an editorial that began: "The Administration's insistence on compounding the error of its Angolan ways is downright masochistic." The editors went on to characterize as "tasteless and tactless" President Ford's charge that congressmembers who disagreed with him had "lost their guts."¹⁰³

Hometown, or local newspapers, provide a more mixed picture in terms of the signals they send to their readers. Editorials on File, which compiles editorials from large and small newspapers across the United States, published several

¹⁰²Washington Post, December 18, 1975, p. A23.

¹⁰³Washington Post, January 15, 1976, p. A18.

series of Angola editorials in 1975 and 1976. The editorials are selected to present the range of opinion and thus cannot be taken as an accurate sample. But they do reveal that there was indeed mixed opinion on the subject. Editorials following the December 12 revelation that aid levels had reached \$50 million were supportive in papers such as the San Diego Union, the Atlanta Constitution, the Indianapolis Star and the Richmond Times-Dispatch. On the other hand, the Boston Globe, the Arizona Republic (Phoenix), and Newsday (New York) all opposed the aid. A similar mix of opinion can be found in a batch of editorials following the Senate vote in December and the House vote in January.¹⁰⁴

Conclusion

With the exception of the editorial pages of some local newspapers, the coverage of, and commentary about, Angola in the press was extensive and generally critical of the Administration's position. The extent to which this coverage influenced members' voting behavior cannot be determined with any precision, but it is certainly the case that the tone, amount and timing of coverage are important elements of the context in which members decide. As Chapter 8 will show, both the tone and amount changed in the early 1980s, as did congressional thinking about Angola.

¹⁰⁴Editorials on File, 1975 and 1976. (New York: Facts on File, Inc.): for 1975, pp. 1478-1485 and 1552-1559; for 1976, pp. 141-148.

Media coverage has, of course, a double impact--as the primary source of members' information about an issue, and as the exclusive source of the average American's information, which in turn shapes the messages that citizens send to their representatives. In 1975 and 1976, we see a press critical of Administration policy, a public similarly critical, or at least wary, and an issue context (anti-Vietnam, anti-executive, anti-covert action, pro-detente) working together to create an environment conducive to support for the Tunney-Clark approach.

As the next chapter will show, the Administration was simply too weak and divided to counteract these negative factors, and interest groups on either side were simply not active enough to make much difference at all.

CHAPTER 5

**Analysis of the Tunney and Clark Decisions:
Environmental Influences--
Interest Groups and the President**

While public opinion, the media, and the "atmosphere" act as a sort of opinion sea within which members swim, the president and interest groups are active participants in the policy process, albeit outside of the legislative branch. Although the actions of these two types of actors are generally easy to trace through government documents, journals and interviews, the impact they have on congressional decisionmaking is not always so easy to discern. This chapter presents evidence of the activities of interest groups and the President regarding Angola in 1975 and 1976 and attempts to infer the extent to which these activities played a role in the decisions to impose the ban on aid to the rebels. The summary findings are that interest group activity did occur, but did not seem to shape the congressional decision process to any discernible degree. The President was not as active as might have been predicted, given the stakes. With so little executive resistance, it was relatively easy for Ford's opponents to have their way in 1975 and 1976.

Interest Groups

Although interest groups can have a determinate influence on congressional foreign policymaking, such was not the case with Angola in the mid-1970s. This is not to

say that there was no interest group activity, but simply that groups were not major players in this case. There were four different types of interest groups--ethnic, peace, corporate and foreign government--that did try, however marginally, to influence Angola policy.¹

ETHNIC GROUP ACTIVITY

As noted in Chapter 1, Jewish Americans especially, and, to a lesser extent, Greek-Americans, Cuban-Americans and Americans of Eastern European descent have been active influences on American foreign policy.² Notable in their absence from this list are African-Americans. Eric Uslaner explains:

Blacks...traditionally have been more concerned with domestic economic issues than with foreign policy concerns. Unlike some other groups, blacks' ties to a "home country" are weaker. First, blacks have been in the United States longer than most other ethnic groups. Second, during slavery, black culture was deprecated. Third, most American blacks cannot trace their roots to a specific country., Given the diversity of the continent, even of black Africa, focused political action is more difficult.³

In the mid-1970s, apartheid in South Africa was the one foreign policy issue that generated significant political

¹For classification of interest groups, see Norman J. Ornstein and Shirley Elder, Interest Groups, Lobbying and Policymaking (Washington, D.C.: CQ Press, 1978):35-54.

²Franck and Weisband, pp. 186 and 187; and Eric M. Uslaner, "One, Nation, Many Voices: Interest Groups in Foreign Policy Making," in Allan J. Cigler and Burdett A. Loomis, eds., Interest Group Politics, 2nd ed. (Washington, D.C.: CQ Press, 1986):242-245.

³Uslaner, p. 245.

activity by American blacks. The Angola policy of the American government did not.

There were, however, some very small-scale attempts at influence.⁴ Most prominent were the actions of the Congress of Racial Equality (CORE), under the direction of Roy Innis. Of all the groups involved, CORE was the only one to support (at least implicitly) the policy of the Ford Administration. CORE did not, however, work to defeat the Clark-Tunney approach. Rather, the organization sought, in a very public way, to recruit "independent Afro-Americans not linked with the Establishment" (usually black Vietnam veterans) to go to Angola to help "determine the fate of black Africa."⁵ In December 1975, Innis described these people as a "police force" to work on behalf of the Organization of African Unity's attempt to mediate the civil war in Angola.⁶ By February, CORE claimed to have 300 recruits, whom they called "medics," and whose transportation costs were being paid for by UNITA.⁷ There is no evidence that these men ever arrived in Angola, or that CORE's activity had any impact on congressional

⁴The role of the Congressional Black Caucus is discussed in Chapter 4.

⁵Les Payne and Ernest Volkman, "CORE Recruits 'Police Force'," The Washington Post, December 12, 1975, A1.

⁶Ibid.

⁷William Claiborne, "CORE Says it will send 300 to Angola," Washington Post, February 11, 1976, A15.

decision-making.

References can be found to a few other African-American groups who made their opposition to aid to the rebels known. The African Nationalist Committee, for example, openly supported the MPLA faction and its members engaged in fisticuffs with CORE members at a recruiting meeting. The Black Coalition Against U.S. Involvement in Angola in the San Francisco area was successful in preventing Innis from recruiting in the Bay Area.⁸ But, again, there is no evidence that either group was active on Capitol Hill.

PEACE GROUPS

The largest and loudest attempt to influence Angola policy was undertaken by coalitions of groups who had been active in protesting against the Vietnam War. Groups such as Clergy and Laity Concerned, Women's Strike for Peace, Americans for Democratic Action, and the Campaign for a Democratic Foreign Policy worked together to plan rallies and speakers' forums in more than a dozen American cities in late 1975 and early 1976. The only one of these rallies to get press attention was held in Washington D.C. on January 19, 1976. The gathering of 200 people on the Capitol steps was addressed by such anti-Vietnam veterans as Bella Abzug, David Dellinger and Cora Weiss.⁹

⁸Ibid.

⁹"200 Protest U.S. Role in Angola," The Washington Post, January 20, 1976, A7.

The Campaign for a Democratic Foreign Policy also had a lobbying strategy targeted at the "120-130 members of the House so far uncommitted on Angola."¹⁰ The primary tactic was "to induce labor and community groups in local areas to draft non-intervention resolutions and then present them to doubtful members of Congress shortly before Tuesday's vote [on the Tunney amendment]."¹¹ The Campaign also secured the agreement of Common Cause to lobby on the Tunney vote...against the covert aspect of the operation, but not on the wisdom of the involvement per se.

Finally, the National Council of Churches passed a resolution on March 5 (after the Tunney vote, but before the Clark vote) urging the U.S. government to recognize the MPLA government.¹²

FOREIGN ACTORS

Representatives of both sides of the Angolan civil war were active in attempting to influence congressmembers' positions on the conflicts. Some of this activity was coordinated by the executive branch. According to John Stockwell, who was head of the CIA Angola Task Force at the time of the Tunney and Clark amendments,

...in August 1975 our [CIA's] propagandists

¹⁰William Chapman, "Activists of the 60s Reappear, with Angola Aid as Target," Washington Post, January 25, 1976, A3.

¹¹Ibid.

¹²Washington Post, March 6, 1976, A2.

organized and recruited teams of UNITA and FNLA representatives to come to the United States and lobby on behalf of their two organizations....We paid their plane tickets and met them when they got to New York. Our propaganda sections coached and funded them as they proceeded to lobby in New York and Washington. Our cable trafficking and telephone conversations coordinated trips of these agents to Washington.¹³

Specifically, during the week prior to the House vote on the Tunney amendment, two members of the UNITA/FNLA coalition--Henrick vaal Neto and Paulo Tuba--worked unsuccessfully to defeat the Tunney amendment.¹⁴ (It is not known whether these two were among the group of lobbyists coordinated by the CIA.) We will see in Chapter 8 how much improved (and more successful) these lobbying efforts were a decade later.

On the other side of the issue, and employing a very different and indirect tactic, was the MPLA, which invited members of twelve American organizations--many of which served primarily black constituencies--to Cuba for a briefing on the war. Among the groups were the National Conference of Black Lawyers, the Black Economics Research Center, the American Committee on Africa, the American Friends Service Committee, the National Council of Churches,

¹³United States-Angola Relations, Hearing before the Subcommittee on Africa of the Committee on International Relations, House of Representatives, 95th Congress, 2nd Session. May 25, 1978, 33.

¹⁴"Angolans Lobby for US Aid," Washington Post, January 29, 1976, C18.

and several black newspapers and magazines.¹⁵ The meeting took place on February 27. But again, there is no evidence of a connection between the positions of these groups and the actions of American congressmembers.

BUSINESS GROUPS

Angola is a case to disprove the claims of those who say that American foreign policy is in large measure crafted to meet the needs of American business. From start to finish, the interests of American business were contrary to, and in fact jeopardized by, the actions of the American government. In the mid-1970s, the most important American corporation in Angola was Gulf Oil. Gulf discovered oil off what is always described as the "oil-rich" Cabinda province in 1966, while Angola was still a Portuguese colony. Gulf had a 50/50 participation deal with Portugal and paid a 12% royalty fee. As early as 1970, Gulf was the object of stockholders' protests about its "support for the Portuguese economic and military effort to perpetuate colonialism."¹⁶ However, a comment by a company spokesman in 1973 indicates that Gulf was not strongly committed to the Portuguese cause. The spokesman said the company did not take political sides, but added, "We are an oil company and we have to

¹⁵Austin Scott, "Cuba Briefing," Washington Post, February 21, 1976, A1.

¹⁶"Church Group to Protest Gulf Role in Angola in Stockholders' Meeting," Platt's OILGRAM News, April 28, 1970. Citations from Platt's OILGRAM News were provided as reprints by the editor of the News. Page numbers were not provided.

accept the rules of any host government."¹⁷ This statement applied both before and after the Portuguese revolution. When the Portuguese left at the end of January 1975, Gulf continued to drill and to deposit payments into the Banco Angola in Luanda.¹⁸ Paul Sheldon, then Vice President of Gulf, told a meeting of the House Foreign Affairs Committee Africa Subcommittee that "Gulf will not attempt in any way to influence the ultimate outcome in Angola....Gulf could provide considerable benefits to whatever government is duly constituted in Angola."¹⁹ Gulf's total annual payments were about \$500 million, or about half the country's export revenues.

In August 1975, the MPLA, the Soviet-backed faction, occupied Banco Angola, dismissed its executives, and demanded the keys to its vaults. In September, Gulf deposited \$100 million in that bank, provoking Senator Clark to comment:

The Gulf payments to one side and the CIA payments to the other is something unique in American history.²⁰

¹⁷"UK Groups Protest Angola Operations of Gulf Oil'" Platt's OILGRAM News, March 21, 1973.

¹⁸Ironically during the period of civil war in 1975, the Gulf facilities were in the hands of the Soviet-backed MPLA, and were guarded by Cuban troops against possible attacks by the American-backed UNITA/FNLA forces.

¹⁹"Gulf Promises to Stay out of Angolan Politics," Platt's OILGRAM News, October 9, 1974.

²⁰David Binder, "Gulf Undecided on Continuing Oil Payments to Angola," The New York Times, December 21, 1975, A2.

The deposit also provoked the State Department to request that Gulf put the next (December) deposit in escrow and to suspend operations in Cabinda. (According to a Gulf official, it was the State Department's position that "border warfare and continued civil war in Angola have made it impossible for the movement of personnel, supplies and equipment necessary for operation there."²¹) While the company hesitated for fear of reprisal by the MPLA and out of a desire to avoid the use of its oil as a tool of international diplomacy, it did comply with State's requests for a short time, until in the company's judgment, Angola had "a government that is in control of the territory and population and this government has been generally recognized by the world community."²² A State Department official said that at the meeting between Gulf and State, "several arms were twisted awfully hard."²³ After the meeting and the decision by Gulf to withhold the money and suspend operations, according to Platt's OILGRAM News, "a source close to Gulf acknowledged that the company 'is closer than it has ever been to losing the offshore properties' which

²¹"Gulf Withholding Angola Tax, Royalties; Personnel Moved," Platt's OILGRAM News, December 23, 1975.

²²During these discussions, a Gulf official referred to the MPLA as the "legally constituted government of Angola." Platt's OILGRAM News, December 22, 1975 and December 23, 1975.

²³"Gulf Withholding Angola Tax, Royalties; Personnel Moved," Platt's OILGRAM News, December 23, 1975.

supply it with 10% of its annual worldwide production."²⁴ These fears were heightened when the MPLA government made vague overtures to Spanish and Italian companies about reopening the Gulf facilities without Gulf's participation.²⁵

The money (\$102 million) was released to the Angolan government, now firmly in the hands of the MPLA, on March 9, 1976 and the company undertook discussions with the Soviet-backed government about new arrangements with regard to the drilling and selling of Angolan oil.²⁶ Production was resumed in early May.

Clearly, the interests of Gulf were not at all consistent with the interests of the Ford Administration. They were, however, in line with the Clark-Tunney forces. A cut-off of aid to UNITA would end or at least diminish the intensity of the civil war that had been disrupting oil production for a daily loss of \$1.5 million.²⁷

According to Arthur Jay Klinghoffer:

...Gulf did not want the United States to interfere with Angola. Government policy clearly

²⁴Ibid.

²⁵"USSR-Backed Faction Invites Italians to Talk Cabinda Oil," Platt's OILGRAM News, January 16, 1976; and "Angola Faction Reported Seeking Spanish Help for Cabinda Fields," Platt's OILGRAM News, January 22, 1976.

²⁶Jack Egan, "Gulf Frees Angola Oil Payments," Washington Post, March 10, 1976, D7.

²⁷Caryle Murphy, "Angolans, Gulf Set for Talks on Oil," Washington Post, March 22, 1976, p. A20.

was not linked to corporate interests; the problem was that the corporate interest was inconsistent with government policy.²⁸

Nonetheless, there is no evidence, either in the popular press or the more specialized oil industry newsletters, to indicate that Gulf took any actions to help the cause of the pro-cutoff forces. Gulf's strategy was to try to deal directly with the government of the moment in Angola, and to negotiate with the State Department, when those dealings conflicted with the Administration's policy.

The Executive Branch

Observers have long noted that presidents generally have greater influence over congressional foreign policy decisions than over domestic policy matters. In 1966 Aaron Wildavsky developed the "two presidencies" thesis by demonstrating that Congress supported the President on foreign policy votes 70 percent of the time, as opposed to 40 percent for domestic policy, a gap of thirty points.²⁹ Since the mid-1960s, Wildavsky's thesis has been refined and updated by a number of scholars. Leloup and Shull, writing in 1979, found that congressional support for presidential foreign policy positions had declined to 55 percent, while support for domestic policy had risen to 46 percent, a gap

²⁸Arthur Jay Klinghoffer, The Angolan War: A Study of Soviet Policy in the Third World (Boulder, CO:Westview Press, 1980):93.

²⁹Aaron Wildavsky, "The Two Presidencies," Trans-Action, 4 (December 1966):7-14.

of only nine points.³⁰

Lee Seligman, using a different methodology, found that on key votes,

Since 1973, presidents have managed to eke out a bare majority (56.5 percent) of victories on key domestic policy calls, a rate of success some 15 to 20 percent below that of the 1957-72 period.....In the foreign and defense area, recent presidents have fared little better, averaging only 60 percent victories on key votes.³¹

The trend has clearly been towards increasing congressional opposition to presidential foreign policy preferences. Ford's presidency not only exemplifies this trend, but is actually a stunning, if exceptional reversal of the Wildavsky thesis. According to Seligman's calculations, Congress voted according to Ford's preferences on 59.3 percent of domestic issues and only 38.5 percent of foreign and defense issues. Ford was able to have some success in the domestic policy area because of his personality, his past experience, and his legislative strategy. His twenty-five years in the House, including nine years as Minority Leader, gave him a familiarity with the members and the procedures of the Congress. Ford's approach to Congress was open and friendly--a significant

³⁰Lance T. LeLoup and Steven A. Shull, "Congress versus the Executive: The 'Two Presidencies' Reconsidered", in Steven A. Shull, editor, The Two Presidencies: A Quarter-Century Assessment (Chicago: Nelson-Hall Publishers, 1991)39.

³¹Lee Seligman, "A Reassessment of the Two Presidencies Thesis," in Stephen A. Shull, ed. The Two Presidencies: A Quarter-Century Assessment (Chicago: Nelson-Hall Publishers, 1991):68.

departure from the often hostile approach of the Nixon administration. Ford kept his domestic agenda short and incremental, or as he promised in the 1975 State of the Union address, "no new starts."³² As Ford summed up his approach to Congress:

I think the President has to accept the fact that he must spend more time personally with members of Congress, and he must work with the leaders of both parties to enhance their strength and influence. Members of Congress are important. The President cannot spend too much time with them...I think a President has to give the leaders in the Congress and influential members of both parties an open door to come and take part in policy decisions.³³

But as Ford's writings show and as his approach to foreign policy questions demonstrates, his attitude towards Congress was somewhat less positive when issues of national security were at stake.

For example, since leaving office, Ford has been an advocate for repeal of the War Powers Resolution. At the time of the Clark Amendment, Ford also revealed a less than positive attitude towards Congress on foreign policy questions. The following exchange took place during an interview for an NBC news program:

Tom Brokaw: Mr. President, in the past the congressional role in foreign policy has been largely confined to a few chairmen and senior

³²Mark A. Peterson, Legislating Together (Cambridge, MA: Harvard University Press, 1990):252.

³³Quoted in Charles O. Jones, "Presidential Negotiation with Congress," in Anthony King, ed. Both Ends of the Avenue (Washington, D.C.: American Enterprise Institute, 1983):115.

members. Now the process has been broadened considerably. Do you think it is a healthy sign?

The President: I think Congress, under the Constitution, does have a proper role in foreign policy, but I don't think our forefathers who drafted that Constitution ever envisioned that 535 members of the House and Senate could execute foreign policy on day-to-day basis. I think the drafters of the Constitution felt that a President had to have the opportunity for decisiveness, for flexibility, for continuity in the execution of foreign policy....Congress has...in the last few months, continued to do some things that have been harmful to the execution on a day-to-day basis of our foreign policy.³⁴

Still, compared to his predecessor, Ford was relatively open with Congress on the particular question of Angola. He provided information on the covert action program to all eight committees or subcommittees mandated by the Hughes-Ryan provision. Many members of the administration testified, some on numerous occasions, in a variety of committee and subcommittee hearings.

This relative candor with some members of Congress was not enough to win approval of the covert aid program. Once the program became widely and publicly known, a more intensive effort was necessary to fend off congressional challenge to the program. Such an effort was not undertaken. Rather, President Ford and his advisors made several last minute, and ultimately unsuccessful efforts--through both public statements and direct lobbying--to

³⁴"Interview for an NBC News Program on American Foreign Policy, January 3, 1976, Public Papers of the President, Gerald R. Ford, 1976 (Washington, D.C.: USGPO, 1976): Document 6, pp. 6-7.

marshall congressional support for their position.

In the days before the Senate and House votes on Tunney and Clark the press contained numerous statements by both the Secretary of State and the President about the dangers of an aid cut-off. The day before the Senate vote, for example, a Washington Post story described Kissinger as "seriously concerned that the uproar in the United States over covert American involvement in Angola can rebound damagingly against US-Soviet detente."³⁵ According to Raymond Garthoff's analysis, Kissinger saw the covert aid program in Angola not as a means of defeating the MPLA but as a weapon in the battle against Soviet foreign policy expansionism.³⁶ The detente connection might have been used by Kissinger to try to change some liberal minds about the wisdom of an aid ban: if the covert aid program preserved detente, then perhaps it was defensible. Clearly, the critics of covert aid were not persuaded.

After the Senate vote, President Ford made a strong statement to the White House press corps calling the Tunney amendment a "deep tragedy for all countries whose security depends on the United States," and calling on the Senate to reverse its position, noting that "failure to do so will....seriously damage the national interest of the United

³⁵Murray Marder, "Kissinger Fears Angola Uproar Can Hurt Detente," The Washington Post, December 18, 1976, A16.

³⁶Garthoff, 519-526.

States."³⁷

In addition to this small public relations campaign, there was some personal lobbying. As described in Chapter 2, Secretary Kissinger had a four-hour meeting with several senators prior to the Senate's Tunney amendment vote. On the day of the vote, there was considerable communication between the White House and Senator Griffin, who was running the filibuster against the Tunney provision. On the House side, the President sent a letter to Speaker Albert on the day of the vote on the House version of Tunney (January 27, 1976). In the letter, Ford expressed his "grave concern" about Angola, outlined the extent of Soviet and Cuban involvement there, assured the Speaker that the United States has "no intention of interfering with internal African affairs", reminded the Speaker that "the matter of our assistance in Angola was the subject of 25 separate contacts with eight Congressional Committees, and "strongly urge[d] the House...to vote to disagree with the Senate amendment to the Defense Appropriations Act."³⁸.

But these efforts were clearly too little, too late. Despite Ford's relative openness and his aides' numerous appearances on the Hill, Albert told the 94th Congress New

³⁷"Remarks on Senate Action to Prohibit United States Assistance to Angola. December 19, 1975" from Public Papers of the President, Gerald R. Ford, 1975 Document 738, p. 1981.

³⁸"Letter to the Speaker of the House of Representatives on the Situation in Angola." January 27, 1976. From Public Papers of the Presidents: Gerald R. Ford, 1976: Document 33, pp. 93-4.

Member Caucus that:

In the field of foreign affairs, I have always been one who has tried to support bipartisan foreign policy....But I cannot support a bipartisan foreign policy that I don't know anything about and that nobody in the administration will tell me anything about.³⁹

Albert also told the Washington Post that "the literature that the White House is putting out [on Angola] is very, very weak."⁴⁰ Even members of the president's own party complained about the lack of effort on the Administration's part, and responded with a parallel lack of effort on the floor. House Minority Leader John Rhodes of Arizona could not tell a Post reporter whether the President felt strongly enough about the issue to veto the bill. Neither Rhodes nor any other Republican leader spoke on the floor for the President's position. Speaker Albert's letter was not read to the members at large because, in Rhodes' words, "I didn't know about it." Rhodes was not even present on the floor during the debate because he was "tied up in his office."⁴¹

In addition to what appears to be a rather weak liaison effort by the White House, the Administration's position in Congress was further undermined by the evident dissent

³⁹Excerpt from Speaker Carl Albert's comments on Angola before the New Member Caucus, in the "For the Record" column Washington Post, January 27, 1976, A18. Interestingly, the Post chose to run this excerpt of a January 16 speech on January 27, the day of the House vote on the Tunney amendment.

⁴⁰Mary Russell, "Arms Aid Prohibition Approved," Washington Post, January 28, 1976, A1.

⁴¹Ibid.

within the Administration about the aid policy. This dissent was apparent in journalists' interviews with "administration sources" and in testimony before House and Senate committees by Administration members.

A December 14 story by New York Times correspondent Hersh told the story of the August resignation of Assistant Secretary of State for African Affairs Nathaniel Davis. Citing "administration sources" and "officials", Hersh wrote that "Davis resigned because he believed the policy [of covert aid] to be utterly wrong" and because Kissinger rejected Davis' recommendation of a diplomatic solution.⁴² At the time of Davis' resignation, "opposition to the Angola policy was widespread throughout the Bureau of African Affairs and the Bureau recommended that the United States stay out of the conflict."⁴³ Davis' predecessor, Donald Easum, had been fired by Kissinger for his "commitment to black African aspirations."⁴⁴

Committee testimony by administration officials reveals similar rifts within the Administration about Angola policy. For example, in a House committee session on January 26, Davis' replacement, William E. Schaufele was asked about the

⁴²Seymour Hersh, "Angola Aid Issue Opening Rifts in State Department," New York Times, December 14, 1975, A1. For Davis' own account, which is largely consistent with Hersh's story, see, Nathaniel Davis, "The Angola Decision: A Personal Memoir," Foreign Affairs 57(Fall 1978): passim.

⁴³Ibid.

⁴⁴Davis, 109; and, Klinghoffer, 93.

geopolitical significance of Angola and replied, "The Soviets have less interest than we do and ours is minimal."⁴⁵ Another State Department official, when asked about the wisdom of supporting the same side as the South Africans, replied:

If the U.S. can be seduced to join this menage a trois, the U.S. will be completely and publicly screwed in Africa. There is no win for Uncle Sam in this unholy bed.⁴⁶

When asked why it was necessary to provide assistance covertly, Deputy Assistant Secretary of State Edward Mulcahy said,

The Soviet moves were also covert and it seems that the nature of games played in big power politics requires a covert answer to a covert move.⁴⁷

Finally, from the Central Intelligence Agency, James Pott, the Director of African Affairs, told Senator Tunney that "it would make 'no difference' to the U.S. which of the three movements won. When Tunney pressed him on the 'no difference,' Pott conceded, 'well, perhaps 5 percent.'"⁴⁸

Such responses are not likely to instill confidence in the members of Congress regarding the rationale for and wisdom of covert aid to the Angolan rebels. Rep. Toby

⁴⁵Mary Russell, "200 on Hill Oppose Angola Aid," New York Times, January 27, 1976, p. B3.

⁴⁶Quoted by Bender in Lemarchand, p. 84-5.

⁴⁷Mulcahy, January 27, 1976.

⁴⁸Bender in Lemarchand, 105.

Moffett (D-CT) was moved to note:

There is no unanimity in the State Department on Angola and there is in fact some sincere difference of opinion with Secretary Kissinger's stand at very high levels.⁴⁹

In addition to the tentative or negative attitudes of some Administration officials about Angola policy, there were also instances of contradictory testimony and many, many examples of information leaked to members of Congress and the press. All of this served to undermine the already rather weak lobbying effort of the Ford Administration.

Why was this effort so weak? There are some indications that the Administration was caught off-guard by Senator Tunney's proposal. It is the case, however, that Senator Clark had been looking into the Angola question for some weeks and had been talking with members of the State Department about his concerns. Staffers at State were telling journalists of their frustration with Secretary Kissinger's inattention to African affairs.⁵⁰ An example of this neglectful attitude towards Africa is provided by Roger Morris, who served as Kissinger's aide. Morris reports that Africa policy was often treated "as a comedy" at National Security Council meetings during Nixon Administration (when Kissinger was both National Security

⁴⁹Ibid.

⁵⁰According to Raymond Garthoff, an indicator of the general lack of interest in the area was the 1974 closing of the CIA station in Luanda in an economy drive. Garthoff, p. 519, note 64.

Advisor and Secretary of State). Alexander Haig, then Kissinger's staff assistant, would "pound his fists on the table, jungle drumbeat style."⁵¹

In addition to this sort of institutional disregard for, or perhaps even contempt for, African policy, there were a number of other issues to keep the Administration occupied. In the winter of 1975-76, the administration was in the midst of negotiating with the Soviets on arms control and in the midst of a significant primary challenge from Ronald Reagan. Angolan policy was simply not an Administration priority at the time. An indication of the relative lack of presidential interest in Angola is the sparse treatment the policy receives in Ford's memoirs. Angola is mentioned on four pages of a 442-page book, in a chapter titled "Challenge from the Right", and always discussed in terms of its interference with Kissinger's arms control diplomacy.⁵² It is thus not surprising that the Administration's approach to Congress was more reactive than preventive.

It is also conceivable that, despite the eventual contours of their policy, neither Ford nor Kissinger began as advocates of the overthrow of the MPLA-backed government in Angola. In fact, in November 1975, Secretary Kissinger

⁵¹Cited in Henry F. Jackson, From Congo to Soweto (New York: William Morrow and Company, 1982):60

⁵²Gerald R. Ford, A Time to Heal (New York: Harper and Row, 1979):345,353,358-9.

stated, "The United States has no national interest in Angola."⁵³ According to Garthoff:

the United States [did not] even object especially to the MPLA; as Kissinger frequently commented later, the United States would not have involved itself in a purely internal struggle in Angola.⁵⁴

When the question of Angola's admission to the UN came up in March 1976, the Ford administration showed signs of support for admission. And, at the same time that the administration was employing covert aid to oppose Marxists in Angola, it was supporting a congressional attempt to send \$30 million in assistance to Marxists in Mozambique. Perhaps Angola policy was driven more by the political necessity of showing strength in the face of Soviet muscle-flexing and in the midst of intensive diplomacy (strongly opposed by conservatives) aimed at normalizing relations with the Soviets on a number of fronts. Reagan was, after all, a significant challenge from the right, and the New Hampshire primary came in February 1976. According to one analyst,

It is Kissinger's contention in private...that once he discovered that the Soviet-supported Popular Movement for the Liberation of Angola [MPLA] was threatening to take over that nation, he took the lead in mounting a covert US operation to head it off. From Kissinger's standpoint this should dispose of the claim by right wing challengers of the Ford administration that he is too mesmerized by detente to react against Soviet

⁵³Cited in Garthoff, p. 520.

⁵⁴Ibid.

thrusts.⁵⁵

Klinghoffer notes that the covert aid program in Angola, along with President Ford's "histrionic bravado" in the Mayaguez rescue in May 1975 and his "extensive posturing" about a Soviet naval base in Somalia, were part of a strategy designed to "assert American power in light of the Vietnam catastrophe and to undercut his rightist critics..."⁵⁶

Roger Morris, who was working on Kissinger's national security staff at the time, supports this assessment:

Seeing his own authority and the larger executive prerogative in foreign policy at stake after the congressional assaults earlier in the year, prodded by tests of manliness and Russophobia from Schlesinger and the chiefs, and full too of his Mayaguez triumph, Kissinger seized upon the Portuguese departure from Angola and the jockeying for post-independence power.⁵⁷

So here we see a number of possible interpretations for the Administration's position on Angola, many of which do not indicate enough conviction or high enough stakes to stimulate a strong lobbying effort. In addition, of course, Ford was in a weak position as a president. As noted above, Ford has the unusual distinction of having greater legislative success on domestic than foreign policy. In

⁵⁵Murray Marder, "Kissinger Finds Election Politics Threaten Detente," Washington Post, December 15, 1975, A7.

⁵⁶Klinghoffer, 87-88.

⁵⁷Roger Morris, Uncertain Greatness (New York: Harper and Row, 1977):293.

Chapter 4 we saw that the public and members of Congress were in an anti-executive mood in 1975 and 1976, and were particularly suspicious of executive forays into foreign conflicts via covert action. Ford was not in a good position to fight this fight, and it was not a good fight to fight. It is not surprising that he did not expend much time, energy and political capital on the Angola issue.

Conclusion

Both the president and interest groups can be powerful external influences on congressional decision-making. In this case, they were not. Ford was politically weak, and had other issues on his agenda. Although there were some attentive interest groups and some concerted lobbying, the issue came up too quickly, and was perhaps a bit too obscure, for interests to become fully engaged.

This relative lack of noise from these two important actors left the Angola debate to be controlled by the issue activists in Congress. Tunney, Clark and others, driven by their opposition to the use of American power abroad, stimulated by a growing amount of negative press coverage about American involvement in Angola, and supported by a permissive opinion environment, carried the day.

CHAPTER 6

American Policy Towards Angola During the Carter Years

The Situation in Angola

The period between the passage of the Clark amendment in 1976 and its repeal in 1985 was one of continued civil war in Angola and of increasingly complex politics between Angola and her neighbors. The MPLA retained control of the country and continued its ties with the Soviets and the Cubans. UNITA, no longer receiving funding from the United States, became increasingly dependent on South Africa for money and supplies, as Savimbi's army continued to stage raids on MPLA-controlled installations and towns.

Greatly complicating matters were developments in neighboring Namibia (also known as South West Africa), which had been under South African control since 1916. The MPLA continued to permit the South West Africa People's Organization (SWAPO) to use its territory as a base camp for its war against the South African army in Namibia. This provided justification for South African raids into Angola. The ongoing struggle in Namibia provoked the United Nations in July 1978 to pass Resolution 435 calling for a cease-fire between South Africa and SWAPO, the withdrawal of South African troops from Namibia, and the presence of a U.N. peacekeeping force in Namibia until free elections, including SWAPO, were held. For its part, South Africa refused to withdraw from Namibia until Cuban troops withdrew

from Angola. The Angolans claimed that they needed the Cubans to protect them from the South Africans in Namibia; the South Africans claimed that they needed to remain in Namibia to prevent that country's takeover by Cuban-supported rebels (the South-West Africa People's Organization, or SWAPO) operating out of Angola. In this context, all efforts at resolution seemed doomed.

Both the South African occupation of Namibia and the Cuban presence in Angola were matters of concern to American policy makers. During both the Carter and Reagan administrations considerable diplomatic energy was expended in attempts to remove both foreign presences. Foreign policy liberals in Congress, most of the Carter Administration, and a few on the Reagan team, favored South Africa's withdrawal from Namibia. Many saw the repeal of the Clark amendment as a threat to this goal because Angola's cooperation was necessary for any settlement, and the repeal of Clark might be sufficiently threatening to Angola to stimulate its withdrawal from participation in a Namibia settlement.

Foreign policy conservatives, on the other hand, joined by much of the Reagan Administration and one or two Carterites, saw the reduction of Soviet influence, including and especially the removal of Cuban troops, as the primary goal, and the Clark Amendment as an impediment to that end. If the Clark Amendment were repealed, the President would at

least have the flexibility to help UNITA in its fight against the Cubans and Angolans, and this would put UNITA in a much stronger negotiating position.

Liberals and conservatives quarreled about not only the Clark Amendment, but also the wisdom of recognizing the government of Angola, and providing it with economic assistance. Between 1975 and 1985, these questions--repeal of Clark, recognition of the MPLA government and aid to that government--periodically surfaced. Each time, the conservative position picked up strength, until in 1981 the possibility of repeal became quite real.

The Carter Administration: 1977-1981

The Carter years were characterized by executive and legislative confusion with regard to Angola. In both branches, there was support for repealing the Clark Amendment in order to aid the anti-communist rebels, as well as support for denying aid to the government of Angola. On the other hand, there was also executive and legislative support for extending diplomatic recognition and American financial assistance to the Neto government. At the end of the four years, policy remained essentially as it had been at the beginning: no aid for either the rebels or the government, and no recognition of the Neto regime.

The Executive Branch

Carter Administration policy in southern Africa was driven in one direction by National Security Advisor

Zbigniew Brzezinski and in the opposite direction by Andrew Young, Carter's Ambassador to the United Nations, and Cyrus Vance, the Secretary of State. Carter tended to side with Young and Vance initially, but, as circumstances in southern Africa changed and Young was ejected from the team for other reasons, the President came increasingly to see things as Brzezinski did.¹

Brzezinski was similar to Kissinger in his perception of Angola through the lens of U.S.-Soviet relations. The policy position that emerges from this view is one of non-recognition of the Neto regime and of continued interest in reducing Soviet-Cuban influence in Angola. Young, on the other hand, favored recognition of the Neto government and acceptance of the Cuban presence there. In fact, within two weeks of Carter's inauguration, Young created a stir by saying that the Cubans in Angola "bring a certain stability and order" to the country--a statement disputed (although not particularly forcefully) by the State Department.²

Secretary of State Vance agreed with Young in supporting recognition of the Neto government. Vance believed that the best way to reduce Soviet and Cuban

¹For a detailed treatment of contending "images" in the Carter administration, see Jerel A. Rosati, The Carter Administration's Quest for Global Community: Beliefs and their Impact on Behavior (Columbia, SC: University of South Carolina Press, 1987):esp. pp. 58-81.

²"State Disputes Young's Angola Remark," Washington Post, February 3, 1977, A1.

presence in Angola was to "outflank the Soviets and Cubans by becoming as influential as possible with the Angolan government...."³

At first, Carter seemed to adopt the Vance-Young perspective. During the 1976 campaign, Carter had criticized the Republicans for having

... missed the opportunity to be a positive and creative force for good...during the years that we supported Portuguese colonization. We should also realize that the Russian and Cuban presence in Angola...need not constitute a threat to United States interest; nor does that presence mean the existence of a Communist satellite on the continent.⁴

And soon after taking office, he spoke of "mov[ing] toward the reestablishment of normal relations between our country and Angola."⁵ Carter also favored normalization of relations with Cuba. However, events in Angola and elsewhere in Africa, Ambassador Young's declining influence, and Advisor Brzezinski's rising influence ensured that neither normalization occurred.⁶

³Richard J. Bloomfield, "U.S. Policy: Doctrine vs. Interests," in Richard J. Bloomfield, ed., Regional Conflict and U.S. Policy: Angola and Mozambique (Algonac, MI: Reference Publications, Inc., 1988):212.

⁴As cited in Henry F. Jackson, From the Congo to Soweto (New York: Morrow, 1982):77

⁵Ibid., 81.

⁶This was, of course, more than an intellectual debate. As will be discussed below, these advisors lost and gained influence in part because their arguments made more or less sense as Soviet behavior changed, and in part because of the President's need, as his term progressed, to appear less "soft."

Events in Africa

In March 1977, the Shaba province of Zaire, one of the United States' closest African friends, was invaded from Angola by Katangese rebels, who were "well-coordinated, well-supplied and apparently supported by the Angolan government."⁷ Zaire requested aid from the United States and received about \$2 million in non-lethal assistance, including, in the words of Press Secretary Jody Powell, "batteries and shoes and britches and matters of that nature."⁸ According to Raymond Garthoff, the "American reaction was very restrained....[and] Carter went out of his way to avoid escalating the local conflict and to stand apart."⁹ Belgium and France provided logistical support, and 1,500 Moroccan troops were sent to provide military support. After about a month inside Zaire, the Katangans retreated to Angola.

A year later, on May 18, 1978, the Katangese invaded again, with more success. They penetrated deep into Zaire, captured the mining town of Kolwezi and took hundreds of Europeans hostage there. The Western response was direct intervention by 2,500 Belgians and French troops, who were

⁷Robin Wright, "France to aid Zaire; Fighting Continues," Washington Post, March 19, 1977, A12.

⁸Murray Marder, "US is Airlifting Military, Medical Supplies to Zaire," Washington Post, March 16, 1977, 1.

⁹Raymond L. Garthoff, Detente and Confrontation (Washington, D.C.: Brookings Institution, 1985):624.

transported to Zaire by American C-141 military planes. Not only was American support more direct in Shaba II, but the President's rhetoric was more heated. On May 25 in a news conference in Chicago, Carter declared, "The Government of Angola must bear a heavy responsibility for the deadly attack which was launched from its territory, and it's a burden and a responsibility shared by Cuba."¹⁰ On May 28, Brzezinski made the Soviet connection in an appearance on "Meet the Press."

We believe that Cuba had known of the Katangan plans to invade and obviously did nothing to restrain them from crossing the border. We also know that the Cubans played a key role in training and equipping the Katangans who attacked.¹¹

Brzezinski characterized Soviet involvement in Africa as incompatible with the "code of detente" and that it ought not be "cost-free." He called Cuban activities in Angola "intolerable to international peace" and, according to the Post, presented a "philosophical justification for covert action in such places as Angola."¹²

Although there was no direct evidence of a Cuban role in either invasion¹³, and predictably, both the Soviets and

¹⁰"The President's News Conference of May 25, 1978," Weekly Compilation of Presidential Documents (Washington, D.C.: USGPO, 1978):972.

¹¹Garthoff, 626.

¹²Don Oberdorfer, "Double Reverse: Chronicle of U.S. Policy on Africa," Washington Post, June 25, 1978, A1.

¹³Garthoff, 626-628.

the Cubans flatly denied involvement, incidents in the year between Shaba I and Shaba II explain why Carter's reaction to Shaba II was so much more consistent with a Brzezinskian perspective than his reaction to Shaba I.

Particularly worrisome to Carter and consistent with Brzezinski's point of view, was the use of Cuban troops in a number of other arenas, both in Angola and elsewhere in Africa. There were Cuban troops in southern and western Angola guarding those borders against the South African army's pursuit of SWAPO guerrillas. In northern Angola, Cubans were deployed to protect the oil fields and power plants of the Cabinda enclave against attacks by the Front for the Liberation of the Enclave of Cabinda (FLEC). Cuban soldiers also fought beside MPLA troops in an April 1978 offensive against UNITA. On the horn of Africa, Cuban troops were deeply and undeniably involved with two Ethiopian conflicts: border skirmishes with Somalia over the Ogaden region of Ethiopia in the summer and fall of 1977, and the pro-Soviet government's battle with Eritrean secessionists in early 1978. For the first, the Cubans sent 12-17,000 troops who saw combat, and the Soviets sent up to \$1 billion in arms and the first deputy commander-in-chief of the ground forces of the Soviet army to oversee both operations.¹⁴

These seemingly well coordinated and successful

¹⁴Garthoff, 639.

attempts by the Soviets and Cubans to support African interests that were hostile to the United States were bound to give some weight to Brzezinski's argument that the United States should do something to counterbalance the Soviet-Cuban presence. As Garthoff puts it:

The Soviet-Cuban collaboration in Ethiopia contributed greatly to American suspicions and concerns over the role of the Soviet Union and its supportive Cuban "proxy" in the third world.¹⁵

Carter's reaction to these developments had to have been shaped not only by the facts of the situation but also by the growing public criticism of his Carter administration's "weakness and indecisiveness" in foreign policy matters. Henry Kissinger, for example, had been publicly complaining that "in this country we have a leadership problem" and that there has been a "loss of nerve" in the foreign policy establishment.¹⁶

In response in particular to Shaba II, Carter informed Congress of his desire to have the flexibility to fund UNITA should he so choose. On May 16, 1978, in the immediate aftermath of Shaba II, Carter had the leaders of both chambers to breakfast at the White House, where he told them that he needed greater authority to send aid to friendly governments under pressure, such as Zaire. Carter's Press Secretary Powell later explained that the President had no

¹⁵Ibid., 644-5.

¹⁶See Bernard Gwertzman, "French Troops Land in Zaire Battle Zone: US Sees Cuban Role," New York Times, May 20, 1978, A1.

specific legislative requests, and was not talking at all about the authority to commit troops.¹⁷ What the President wanted, according to his aides, was "to improve the consultative process with Congress."¹⁸ According to press reports, Carter received "sympathetic consideration" from both Democratic and Republican leaders.¹⁹ Senate Majority Leader Robert Byrd (D-WV), for example, observed that there was "growing concern" among members of Congress about "constraints on the United States" and "that concern may manifest itself in some action."²⁰

On May 23, Carter again met with members of the Senate, this time on Angola specifically. At this session, characterized as a "closed door White House meeting," Carter told the Senators that because of Congressional constraints, the United States was unable to provide assistance to anti-government rebel forces led by Jonas M. Savimbi.²¹

Carter did not ask for repeal of the Clark amendment, but participants at the meeting were left with the impression that he supported repeal. As one of those in attendance, Senator Daniel P. Moynihan (D-NY), told the

¹⁷Graham Hovey, "US Set to Evacuate 73 Citizens to Zaire," New York Times, May 17, 1978, A1.

¹⁸Ibid.

¹⁹Ibid.

²⁰Ibid.

²¹Bernard Gwertzman, "Carter Cites Limits On Policy in Angola," New York Times, May 24, 1978, A1.

Times,

...for about a month now, officials of the Administration have been telling us they want to provide aid to Savimbi in Angola. This is a serious decision about which I for one am willing to listen to the Administration case. But it must be done openly.²²

Dick Clark, who was not at the meeting, took offense at the implicit threat to his amendment:

I've come to the conclusion that the President is considering reinvolving this country in the Angolan civil war.²³

The President's semi-public large-scale meetings came after the administration had attempted to achieve its goal of flexibility through back channels. On May 26, the Washington Post revealed that earlier that month Clark had been approached by CIA Director Stansfield Turner about the possibility of restarting aid to the UNITA rebels. A deep background rendering of the meeting described a one-page, twelve-sentence proposal containing specific numbers and types of weapons that the administration wished to provide to UNITA. Turner's visit with Clark was apparently the result of advice to Turner from a member of the Senate Intelligence Committee, who had spoken with Turner about the covert aid plan in early April. The senator reportedly advised Turner that "if he hoped to build Senate consensus for new aid to UNITA, Clark's acquiescence would be

²²Ibid.

²³Ibid.

necessary." After several days' study, Clark reported to Turner that he "strongly opposed the idea."²⁴

Yet at the same time as Carter and Brzezinski were complaining about congressional constraints on the President's ability to aid UNITA, and Turner was trying to organize support for covert aid to UNITA, Carter's State Department was developing "affirmative policies" to improve relations with the Neto government in Angola. Just six weeks after Turner presented his covert action plan to Clark, Secretary Vance testified before the House International Relations Committee, outlining the administration's new "forward-looking and positive" policy towards southern Africa, including a "U.S. willingness to begin working with Marxist Angola 'in more normal ways.'"²⁵ At the same time, Vance dispatched diplomat Donald McHenry to Luanda to meet with President Neto as part of Vance's plan for "emphasi[zing] diplomatic and economic efforts to deal with African problems in their African context and deemphasi[ze] East-West confrontations."²⁶ According to State Department officials, McHenry was impressed by the

²⁴Walter Pincus and Robert G. Kaiser, "Carter Reported Unaware of Overtures to Sen. Clark," Washington Post, May 25, 1978, 1. See also, William Safire, "'I'm the President'", New York Times, June 29, 1978, A25.

²⁵Don Oberdorfer, "Vance: U.S. is Willing to Work with Angola," Washington Post, June 21, 1978, A1.

²⁶Oberdorfer, June 25, 1978.

desire of Angolan leaders

to resolve their long-festering border problem with Zaire, to achieve a peaceful settlement in South-West Africa [Namibia], and to build stronger relations with the United States and other countries, lessening their dependence on Cuba and Soviet-bloc nations.²⁷

In late September 1978, the State Department reported on several signs of improved relations between the two states.²⁸ Angola and Zaire had agreed to stop aiding each other's rebel forces. President Neto wrote to Carter, signaling his desire to establish diplomatic relations with the U.S. During this period, relations between American business and the Angolan government continued to thrive and grow.²⁹ The mid-1978 proposal to restart aid to UNITA was "hotly contested by State Department officials," and was characterized by State as an "aberration."³⁰ In late 1979, Africa specialist Gerald Bender reported that the State Department, from Secretary Vance on down, was solidly in

²⁷Graham Hovey, "US Moving to Improve Relations with Angola," New York Times, July 10, 1978, A8.

²⁸New York Times, September 17, 1978, 102. [In September 1978, New York Times typesetters were on strike and the newspaper was not published. Reporters' stories were, however, transcribed to microfilm. Thus the unusual page number.]

²⁹Jackson, 84-85.

³⁰Pincus and Kaiser, May 24, 1978, A16; and Oberdorfer, June 25, 1978. One State Department official characterized the Turner episode this way: "As we were moving along this thoughtful path we were getting goosed by the Russkis and the Cubes--that's what Brzezinski calls 'em--all the time. So we had to go over to the side of the road for a little fisticuffs. But now we're back on the path." Oberdorfer, June 25, 1978.

favor of recognition of Angola.³¹

Nonetheless, when Jimmy Carter left office in January 1981, neither Brzezinski nor Vance had seen his preferences become policy. The United States did not have diplomatic relations with the government of Angola, the President could not, because of the Clark Amendment, give aid to Savimbi's UNITA, and the President could not, because of several acts of Congress, provide any direct aid to Neto's government. Had a significant number of members of Congress supported one position or another, it is possible that the splits in the Carter administration could have been resolved in favor of the congressional position. But like the Administration, Congress was itself of two (or more) minds on Angola policy.

Congressional Policy

The 95th and 96th Congresses focused on Angola several times during their four-year tenure. Three questions were raised: should the Clark Amendment be repealed? should Neto's government be granted diplomatic recognition? and should the United States provide financial assistance to that government? The answer to all three questions was no; the MPLA government was not granted recognition and the President was prohibited by law from aiding parties on either side of the Angolan conflict. This occurred not because Congress sought consciously to hew a non-aligned

³¹New York Times, October 23, 1979, p. 23.

position, but rather because Congress was perfectly capable of making inconsistent decisions.

Different attentive factions in Congress focused on and controlled the different Angola policy questions and produced the differing outcomes. The liberal faction led by Tunney, Clark, Bonker, McGovern et al. concentrated on maintaining the ban on aid to the rebels. Conservatives, such as Helms, Allen and McClellan, focused on withholding recognition and aid from Neto's government. For a time, from 1976 to mid-1979, there was approximate balance between the two factions, but by 1980 the leadership of the Clark/Tunney effort was disintegrating, and American Angola policy was shifting rightward.

The Impact of the 1978 election

The 1978 mid-term election was not particularly dramatic, if one looks only at the shifts in partisan balance. Retaining control of both chambers, the President's party lost only three seats in the Senate and eleven in the House.³² But, if one looks at those legislators who led the Congress on Angola policy, and at the composition of the committees of jurisdiction, one sees significant changes. This "turnover effect" had both

³²This compares quite favorably (from Carter's perspective) with the 48 House and 5 Senate seats lost in the 1974 mid-term elections and the 26 House seats lost in the 1982 elections. The Republicans did gain one Senate seat in 1982. See Norman J. Ornstein, Thomas E. Mann and Michael J. Malbin, Vital Statistics on Congress, 1989-1990. (Washington, D.C.: Congressional Quarterly Press, 1990):Table 2-4, 51.

immediate and long-term impacts on congressional Angola policy.

Senate

John Tunney was the first of the liberal contingent to leave the scene. In the 1976 primary campaign, he faced a strong primary challenge from Tom Hayden and survived, only to be defeated by S.I. Hayakawa in the general election. Dick Clark, too, was denied a second term in an unexpected 1978 loss to Republican Roger Jepsen. Clark, along with Hubert Humphrey, comprised the Democratic portion the Senate Africa Subcommittee. Humphrey died in January 1978. After the 1978 election, Clark's seat as subcommittee chair was taken by McGovern, and Humphrey's by Edmund Muskie (both of whom had voted for the Clark/Tunney measures). The sole Republican seat on the subcommittee also turned over in 1978 with the retirement of Senator James B. Pearson (R-KS). Pearson was important to the Clark-Tunney debate because of his abstention from that debate and his vote for the Democratic amendment. Pearson's seat on the subcommittee was taken by Hayakawa, who was equally inactive but much less likely to vote with the Democrats. Pearson's seat in the Senate was won by Nancy Landon Kassenbaum, who would take over the chair of the Africa subcommittee in 1981 and would be both more active and more partisan, as she led the unsuccessful fight to repeal Clark in that year. Paul Tsongas (D-MA), was also elected in 1978, and, with the

departure of his colleagues Muskie (who became Carter's Secretary of State in mid-1980) and McGovern (who was defeated in 1980), would take over the ranking minority seat on the Africa subcommittee in 1981. As will be seen, Tsongas was the last best hope for the Clark Amendment.

The pro-Clark supporters were not the only ones to see their ranks change during the 95th and 96th Congresses. Among the most vocal opponents of Clark and Tunney to leave the scene was Senator James Allen (D-AL), who proposed most of the amendments to weaken Clark. Allen died in office on June 1, 1978. Senator McClellan, another frequent participant on the anti-Clark, anti-Neto side of the debate also died in office. Also, Griffin, who led the filibuster against the Tunney amendment, lost his Senate seat to Democrat Carl Levin in a 1978 upset.

House

On the House side, 1978 brought the retirement of two advocates of the Clark Amendment, Charles Whalen (R-OH), the ranking member of the House Africa Subcommittee, and Michael J. Harrington (D-MA). Elected in 1978 was Howard Wolpe (D-MI), who was to become one of the leaders of the movement to retain the Clark Amendment. There were leadership changes on the House subcommittee, as well. When ranking minority member Whalen retired, his seat on the committee was claimed by Bill Goodling of Pennsylvania who, while somewhat more conservative than Whalen, did vote with him for the Clark

Amendment. Charles C. Diggs (D-MI), who chaired the Africa Subcommittee when it was created in 1977 and was an extremely harsh critic of American policy in southern Africa³³, stepped down from that chair and was replaced in 1978 by Stephen Solarz (D-NY). Solarz was among the most active and knowledgeable House members on foreign policy matters and had designs on the Secretary of State's job in the event of a Democratic Presidential victory.³⁴ But with regard to Africa, he had a short attention span and switched to the Subcommittee on Asia and the Pacific in 1980.

Also significant was the retirement in 1978 of John Sparkman, whose hands-off chairmanship of the Senate Foreign Relations Committee permitted non-leadership proposals like the Clark Amendment to reach the floor. Sparkman was replaced by Frank Church, who served only until his defeat in the Republican sweep in 1980.

Clearly, leadership on the Angola issue was in flux. Many of the most committed supporters of the Clark/Tunney approach to Angola were gone, or on their way out. On the other side, there were some losses, too, but as the history of the three Angola issues described below will show, it is

³³See Michael T. Kaufman, "2 Angola Regimes Reported Seeking to Join OAU," New York Times, January 12, 1976, A1, in which Diggs calls American Angola policy "the biggest blunder in the history of its relations with Africa and maybe the most serious foreign policy miscalculation it has ever made."

³⁴Christopher Madison, "Solarz's Brash Style Tempers His Quest for Influence in the Foreign Policy Arena," National Journal 17 (No. 43, October 26, 1985):2413-2417.

the opponents of Clark and Tunney who were at least maintaining, if not gaining strength. These trends in leadership change reflect trends in turnover in Congress as a whole. Congressional Quarterly Almanac characterized the Congress elected in the 1978 election as taking a "small step to the right", with "modest gains for the minority" in the House (where seven members of the class of 1974 were defeated) and classified the 1978 Senate class as "slightly more conservative" than its predecessor.³⁵

This move to the right in the ideological complexion of the House and Senate, which continued in the 1980, 1982 and 1984 elections, pushed Angola policy ever rightward as well. This shift can be seen in the actions of the 95th and 96th Congress on three particular issues: aid to the Neto government; the move to repeal the Clark amendment; and, the question of recognition of the Neto regime as the legitimate government of Angola.

Aid to the Neto Government, 1977

During the early months of the 95th Congress, the question of aid to the Angolan government was raised during consideration of the fiscal 1978 foreign aid and security assistance bills. This time, and in subsequent sessions, the question was raised in the House by opponents of such aid, generally conservative Republicans, in an effort to

³⁵"The New Congress: A Small Step to the Right," Congressional Quarterly Almanac 1978, 3B-17B.

block the aid. The legislative struggle reveals the extent to which the terms of the debate had shifted. In the early 1970s, Republicans opposed congressional constraints on executive action; during Carter's term, the GOP supported such limits. Similarly, in the early 1970s, the Democrats attempted to prevent American involvement with anti-communist rebels; in the late 1970s, the Republicans tried to prevent American involvement with pro-Soviet governments.

First, on May 24, 1977, the House passed and the Senate concurred with, an amendment to the International Security Assistance Act (HR 6884) proposed by Robert Bauman (R-MD), that prohibited the President from sending security assistance to the so-called front-line states (Mozambique, Angola, Tanzania, and Zambia). The President could waive the ban if he determined that it was in the foreign policy interests of the United States to do so.³⁶

On June 23, Representative Phil Crane (R-IL) proposed an amendment to the FY78 foreign aid appropriations bill that would strengthen the ban by prohibiting any direct or indirect economic aid to the governments of Mozambique or Angola, with no provisions for a Presidential waiver. The amendment passed by a voice vote. This meant that such international financial institutions (IFIs) as the World Bank and the African Development Bank would not be able to

³⁶The front-line states were assisting ZANU and ZAPU in their war against the white regime in Zimbabwe/Rhodesia.

use their substantial American contributions to provide loans to these (and five other) countries.³⁷

Crane offered two reasons to support his proposition. First, he wished to ensure that no American aid go to countries whose cause was "inimical to our interests and to those of a peacefully negotiated settlement in Rhodesia." (Crane explained that Angola and Mozambique were providing sanctuary, training, and arms to Robert Mugabe and Joshua Nkomo, who were fighting to overthrow the white regime in Rhodesia.) Second, Crane said that the Presidential waiver provision "flies in the face of any exercise of congressional prerogatives....Those who opposed our involvement in Vietnam or Angola should, if they are to be consistent, oppose this waiver on the grounds that Congress should be the ultimate arbiter of our involvement."³⁸ Of course, during the debate on the Clark amendment three years earlier, it was congressional Democrats who were interested in protecting congressional prerogatives against executive encroachment. Now these same Democrats were willing to grant the President the flexibility to provide aid, and the Republicans were seeking congressional constraints on executive action.

³⁷This, in turn, meant that these institutions would be forced to reject the entire American annual contribution since IFI charters require that contributing nations put no conditions on their donations. This would have effectively shut down the lending institutions.

³⁸Congressional Record--House, June 23, 1977, p. 20567.

On July 15, the Senate Appropriations Committee Subcommittee on Foreign Operations considered the Crane amendment. At the strong urging of President Carter, the Committee removed the ban on indirect aid, but retained the direct aid prohibition. When the bill reached the Senate floor, these committee actions were accepted and expanded when Clark offered an amendment that would reinstate the Presidential waiver provision.

A challenge to Clark's proposal came during floor debate. Senator Allen first moved to table Clark's proposal, but was defeated by a 40-34 vote. Allen then proposed to alter Clark's proposition to require that both chambers must approve a Presidential decision to give aid to Angola or Mozambique. This provoked a response from Democrat Paul Simon, Representative from Illinois, who said that the House was acting as if Richard Nixon were still in office. In language reminiscent of Republican complaints about the War Powers Act, the Hughes-Ryan amendment, and Clark/Tunney, Simon said:

We are excessively tying the hands of the chief executive. We are excessively getting involved in things that the executive branch can much better handle.³⁹

Allen's provision to require congressional approval of a Presidential decision to give aid to Angola or Mozambique was accepted by the Senate by voice vote and was adopted by

³⁹Martin Tolchin, "House Votes to Rescind its Curb on Loans by International Banks," New York Times October 19, 1977, 10.

the House-Senate conference. But, on October 18 the full House demonstrated its unwillingness to accept any proposition that might allow American aid to go to those governments, and rejected the Clark/Allen amendment by a 219-188 margin. The Senate then agreed to drop the measure and the complete ban on direct aid to Angola and Mozambique stood, with no provision for Presidential waiver. At the same time, House members did accept the Senate's deletion of the House ban on indirect aid to these countries by international financial institutions. House members accepted this change by a 229-185 vote only after receiving a letter from President Carter, in which he promised that he would instruct United States representatives to these institutions "to oppose and vote against any loans to the seven countries mentioned in the House amendment."⁴⁰

The debates about Presidential prerogative and indirect aid were extensive, occasionally acrimonious, and generally dominated by conservative members.⁴¹ These members frequently expressed their opposition to foreign aid in general, to aid to pro-Soviet countries in particular (especially Vietnam), and their unhappiness with the current

⁴⁰For the text of the letter and extended debate about its wisdom and implications, see Congressional Record--House, October 18, 1977. 34092-34107. See also, "House Votes to Rescind its Curb on Loans by International Banks," New York Times, October 19, 1977, 10. The seven countries were Uganda, Cambodia, Laos, Vietnam, Cuba, Angola, and Mozambique.

⁴¹See Congressional Record, October 18, 1977, pp. H11190-H11204; and October 19, 1977 pp. S 17351-17358.

administration. Representative Bauman, who sponsored the initial House amendment, expressed skepticism about Carter's promise to deny indirect aid to the seven countries and about the President's approach to Congress:

[I am concerned] about the lack of adherence to traditional parliamentary procedure that is inherent when attempts are made to raise a Presidential letter to the level of statutory law. Perhaps there are those who consider the Congress of the United States to be no better than the Georgia Legislature, and letters were enough to carry the day there. I do not think it is quite the same in the Congress of the United States.⁴²

Aid to the Neto Government, 1978

In 1978, Congressional policy towards aid to the Angolan government followed the path of the prior year's effort. The House amended the FY79 Foreign Aid Appropriations bill (HR 12931) to prohibit direct aid to Angola and Mozambique. The Senate softened this by allowing aid if the President reported that such aid would further the foreign policy interests of the United States. The conference committee accepted the Senate version permitting the Presidential waiver. The House, by a vote of 204-161, rejected the conference version, and as in 1977, the Senate reversed itself and agreed to drop the provision allowing the executive waiver. The end result was a continuation of the prohibition on direct aid to the government of

⁴²Ibid., 34110.

Angola.⁴³

Aid to the Neto Government: 1979

Nineteen seventy-nine brought no change on the question of aid to the pro-Soviet government. As in the two earlier years, during consideration of the foreign aid appropriations bill, the House enacted by a 281-117 margin a ban on direct and indirect aid to Angola and five other nations. As in the two earlier years, "cooler Senate heads thwart[ed] such recklessness" by voting down the House provision by a 49-46 margin.⁴⁴ The Senate then enacted its own prohibition--on direct aid only to Angola, Cambodia, Laos and Vietnam. This amendment, sponsored by Senator Jake Garn (R-UT), was adopted on October 11 by voice vote, with no debate.⁴⁵

Aid to the Neto Government, 1980

In 1980, the question of aid to the Angolan government was not raised during debate on the annual foreign aid legislation. The policy had been set. There would be no aid to the government of Angola, nor would there be a provision for executive discretion on this matter. The support for this position had deepened between 1977 and

⁴³Congressional Quarterly Almanac, 1978 (Washington, D.C., CQ Press, 1979):3076 and 3090.

⁴⁴Congressional Quarterly Almanac 1979, pp. 725 and 2307; New York Times, October 30, 1979, p. 18; and Congressional Record, October 9, 1979, p. S 27456.

⁴⁵Congressional Quarterly Almanac 1979, pp. 725 and 2307.

1979. When the issue was first raised in 1977, the margin of support in the House was 219-188; three years later that margin had increased to 281-117. In the Senate, where the legislative task had always been to soften the House ban, choices at first were made by voice vote, indicating no strong opposition to the proposed softening; by 1979, the roll was called, and support for a narrower ban was revealed as shaky, with a margin of only 49-46. Clearly, support for aid to the Neto government was disintegrating in Congress. By 1980, the question changed from support of the pro-Soviet government to support for the UNITA forces trying to overthrow that government. The repeal of Clark was now possible.

The Clark Amendment

Congress had to come some distance before the idea of repealing the Clark Amendment found a receptive audience. Throughout 1977 and 1978, there was continued aversion to covert action in general, and to such action in Angola in particular.

This aversion was reinforced in early May 1978 by the publication of John Stockwell's In Search of Enemies, a chronicle of the covert aid program in Angola. Stockwell, who had been the head of the CIA's Angola Task Force during the program's operation, became disenchanted with CIA methods and wrote this highly critical tell-all memoir. The book received wide, and generally friendly, press attention.

As noted above, at this same time, President Carter was breakfasting with members and hinting of his desire to have flexibility in Angola, and CIA Director Turner was making overtures to Clark about restarting covert aid. As we have seen, both Carter and Turner met with considerable opposition from members. This attitude was certainly reflected in the May 1978 Angola hearing held by the House International Relations Committee Subcommittee on Africa. The scheduled witnesses were Stockwell, Prof. Gerald J. Bender of the University of California, San Diego, and Assistant Secretary of State for African Affairs Richard M. Moose, Jr. Moose declined to appear "because of the heightened 'sensitivities' of the issue."⁴⁶

Without Moose, the hearing was unremittingly critical of the Brzezinski approach to Angola. For example, Prof. Bender said:

Clearly Congress must now reinforce its pledge to the American people, made in the Clark amendment, that it will not allow the administration to commit such costly and tragic mistakes again.⁴⁷

And Stockwell asked:

How many times does the United States have to suffer the humiliating failure of duplicitous CIA covert operations before it learns that they don't

⁴⁶Don Oberdorfer, "Hill Told Intervention would Bind Angola to Cuba, Soviet," Washington Post, May 25, 1978, 19.

⁴⁷United States-Angolan Relations, Hearing before the Subcommittee on Africa of the Committee on International Relations, House of Representatives, 95th Congress, 2nd Session, May 25, 1978. (Washington, D.C.: USGPO, 1978):6

work?⁴⁸

The Representatives present, Chairman Diggs, Bonker and Whalen, all asked friendly questions. The two staffers present, one for each party, also made supportive comments. Attached to the transcript of the hearing were statements from Gulf Oil Company and Boeing Aircraft Company, both of which supported the MPLA government in Luanda, and at least implicitly opposed any American attempts to replace that government.⁴⁹

This kind of inside-the-beltway criticism of covert aid seemed to be supported, at least in part and temporarily, by the general public. According to one report, Rep. Kika de la Garza (D-TX) told the President that the people in his district "didn't even know where these African countries are, and would never support U.S. intervention."⁵⁰ In a 1978 study of public opinion and foreign policy, John Rielly found that only four percent of Americans considered Africa to be one of the "two or three biggest foreign policy problems facing the U.S. today."⁵¹ On the other hand, and as a preview of things to come, American attitudes about the

⁴⁸Ibid., 15

⁴⁹Ibid., 39.

⁵⁰Don Oberdorfer, et al., "Double Reverse: Chronicle of U.S. Policy on Africa," Washington Post, June 25, 1978, 1.

⁵¹John E. Rielly, ed., American Public Opinion and U.S. Foreign Policy (Chicago, IL: Chicago Council on Foreign Relations, 1979): 13.

wisdom of covert action were changing by 1978. In answer to the question of whether the CIA should "work inside other countries to...weaken those forces that work against the interests of the U.S.", fifty-nine percent of Rielly's sample said that this was a proper task for the CIA. This represents a significant increase from the 43% who supported CIA action in 1974.⁵²

As noted, both congressional and popular attitudes about Angola were in flux in the early years of the Carter Administration. By 1980, however, events overshadowed partisan differences and popular hesitation and made possible a successful repeal effort. In November 1979, Iranian students took seventy-six Americans hostage; fifty-two of them were held until inauguration day of 1981. On Christmas Day 1979, the Soviet Union invaded Afghanistan provoking President Carter to say:

The action of the Soviets has made a more dramatic change in my opinion of what the Soviets' ultimate goals are than anything they've done in the previous time I've been in office.⁵³

These two actions--the Iranian hostage crisis and the Soviet invasion of Afghanistan--seemed to indicate the impotence of the United States in the world arena, and gave a false ring to arguments about excessive executive power and the Soviets' good intentions. In Congress and in the

⁵²Ibid., 16.

⁵³Cited in Gaddis Smith, Morality, Reason and Power: American Diplomacy in the Carter Years (New York: Hill and Wang, 1986):224.

American public, there was a palpable shift in perceptions about the proper use of American power in the world affairs.

It is no surprise, then, that in May 1980, the House and Senate voted overwhelmingly to overturn the Hughes-Ryan Amendment that had constrained the use of covert action in general, and that on June 17, the Senate, by voice vote, changed the Clark Amendment to permit a President to send aid to UNITA if he informed the Senate Foreign Relations Committee and the House Foreign Affairs Committee of his intention to do so in secret session.⁵⁴ This is a significant departure from the Clark Amendment's language that the President was forbidden to send aid to Angola "unless and until the Congress expressly authorizes such assistance by law."

These changes in the Clark Amendment were sponsored by Senators Tsongas, Javits and Helms during consideration of the FY81 Foreign Aid Authorization Bill (S2714). Helms initially proposed a straight repeal of Clark, arguing:

There is a new mood abroad in this country....That mood...is a reawakening to the dangers posed to America's freedoms by the Soviet Union, their Cuban surrogates, and other Marxist totalitarian regimes....[T]he American people will not sit idly by while the Soviets whittle away at the edges of the West. They want us to show determination in the face of the onslaught of Marxism. Repeal of the Clark amendment is just that type of

⁵⁴Congressional Record--Senate, June 17, 1980, p. 15068-9; and, Michael Getler, "Senate Votes to End Curb on Covert Aid in Angola," Washington Post, June 24, 1980, p. A1.

action.⁵⁵

Tsongas fended off a vote on the repeal motion by proposing the substitute amendment that was eventually enacted by the Senate. This amendment, as noted above, did not go as far as Helms' proposal, but did significantly increase the President's leeway by requiring only that he inform Congress of a decision to restart aid to the Angolan rebels.

In arguing for his amendment, Tsongas pointed out that a straight repeal of Clark "would be viewed by the Angolans as an attempt to go back to the bad old days of U.S. intervention" during a time when U.S. businesses were thriving in Angola and when the Angolan government was being "very helpful" in negotiating a peaceful resolution to the conflict in Namibia. Tsongas also noted that the Soviet-Angolan relationship was rocky, but that all that was needed "to repair those fissures would be to have the United States engage in some kind of covert activity."⁵⁶ Javits agreed with Helms that the Clark Amendment's requirement that Congress publicly approve any Angolan aid ahead of time was too stringent because in Congress, "the action would be so slow as to undoubtedly make it truly inoperative." But, Javits argued, a complete repeal would "swing the pendulum

⁵⁵Congressional Record--Senate, June 17, 1980, 15066.

⁵⁶Ibid., 15067-8.

much too fast and too far"⁵⁷ and so he supported Tsongas' more moderate approach. Helms was persuaded to support the Tsongas course of action, withdrew his own amendment, and added his name to the Tsongas amendment, which then passed by voice vote.⁵⁸

But by the time the bill reached conference committee, political circumstances had changed considerably, and arguments for increasing presidential flexibility were much harder to sell, especially to congressional Democrats. The conference committee met on November 19, 1980--two weeks after the election of Ronald Reagan as President and a Republican majority in the Senate. Given Reagan's campaign promise to restart aid to Savimbi's UNITA, it was difficult for Democrats to provide the new President with the legislative leeway to do so. As one congressional aide remarked, "With the Democrats knowing where both the House and the Senate are going, they just don't want to give up any authority right now."⁵⁹ House conferee Solarz, who was Chair of the House Africa Subcommittee at the time, argued that "any weakening of the Clark amendment would indicate to

⁵⁷Ibid., 15068.

⁵⁸Ibid., 15069.

⁵⁹Richard Whittle, "Arms Boosted to Israel, Egypt; President Given Widened Aid Authority," Congressional Quarterly Weekly, November 29, 1980, 3449.

the Angolans that the U.S. was planning further intervention, and Angola might drop its support for a Namibian settlement."⁶⁰

Solarz's position was unacceptable to Senate conferees who warned that their colleague Helms would filibuster any bill that did not modify the Clark Amendment. The conference compromise was to change the Clark amendment only slightly, permitting the President to provide aid if he determines that such aid is in the national interest, informs Congress of his plans, and if Congress "enacts a joint resolution approving the furnishing of such assistance." The committee proposal required that the joint resolution be considered on the floor (i.e., could not be killed in committee) and that it receive expedited consideration. The House approved the conference report (HRept 96-1471) with this provision by voice vote on December 3; the Senate followed a day later, accepting the report by a 58-26 vote.⁶¹

Solarz characterized this outcome as a victory for his position. The modifications in the Clark Amendment, he said, "maintain the essential element of Congressional control."⁶² So, four years after its enactment, the ban

⁶⁰Ibid., 3452.

⁶¹Congressional Quarterly Almanac 1980, p. 3512.

⁶²Juan de Onis, "Democrats Defeat A Move on Angola," New York Times, November 20, 1980, p. A16.

on aid to the Angolan rebels was still in place, and the President was constrained from lifting it without congressional approval and a public debate.

Recognition of the Angolan Government

The third focus of congressional attention during the Carter Administration was the question of recognition of the Neto regime as the legitimate government of Angola. Constitutionally, the decision to offer diplomatic recognition is the President's alone.⁶³ Congress is not, however, required to remain silent if it disagrees with a President's course of action.

In the case of Angola, there was in fact considerable noise, especially in 1979, on this question. Senator Tsongas, for example, in a New York Times op-ed piece, wrote:

Our firm refusal to recognize the Angolan government tightens ties between the Soviet Union and Angola. Nonrecognition undercuts our efforts for peace in Southern Africa; it retards the positive potential of American technology and investment in Angola.⁶⁴

⁶³In Article Two, Section 3 of the Constitution, the President is granted the power to "receive Ambassadors." See Sidney M. Milkis and Michael Nelson, The American Presidency. (Washington, D.C.: CQ Press 1990):50. From Washington's recognition of the French Republic to Carter's recognition of the People's Republic of China, presidents have used this prerogative unilaterally. Congress had occasionally tried to grant recognition on its own, but such attempts had never gone beyond the committee stage. See Edward S. Corwin, The President: Office and Powers, fourth revised edition. (New York: New York University Press, 1957):184-190.

⁶⁴Paul E. Tsongas, "Of Angola," New York Times, March 28, 1979, 25. While support for recognition may seem inconsistent with Tsongas' earlier proposal to weaken the Clark Amendment, it is not.

In 1979 and 1980, specific statements in support of recognition were made on the floor at least eight times, three by Tsongas, three by McGovern, one by Diggs and one by Rep. Andrew Maguire (D-NJ).⁶⁵ While no formal motions were offered, all of these statements followed the line of reasoning of Tsongas' op-ed piece. The fact that the United States was one of only three countries--the other two were Senegal and China--to withhold recognition was often cited as evidence of the flaws in American policy. The subject also frequently arose in the discussions of the Clark Amendment and aid to the Neto government.

Joining the chorus was Andrew Young, who said that "one of the biggest regrets of his two and one-half years as U.N. ambassador was the American failure to recognize Angola."⁶⁶

American business had been advocating recognition of the government since the early days of the civil war. Gulf Oil, for example, in a 1978 letter to the House Foreign Affairs Committee, wrote:

We are of the opinion that it would be in the mutual interest of the United States to establish formal relations with the People's Republic of Angola, and believe that such an action would facilitate considerably the development of

Tsongas, as a member of the minority party in the Senate, proposed the weakening amendment to provide members with an alternative to the full repeal proposal offered by Sen. Helms.

⁶⁵Congressional Record March 7, 1979, pp.S2108-2109; September 17, 1979, p. S12722; October 24, 1979, p. S15052; October 25, 1979, p. H9751; June 9, 1980, p. S6486; and, June 11, 1980, p. S6687.

⁶⁶Washington Post, September 17, 1979, p. A16.

Angola's petroleum resources and help to free it from economic and military dependence on non-African powers.⁶⁷

In the meantime, in order to fend off recognition, Jonas Savimbi, the leader of UNITA, appeared in Washington in November 1979 to build support for his guerrilla movement. In an interview with the New York Times, he warned

the American people it is a mistake [to recognize Angola]. The regime won't last, unless the American people put in money and materials to help the regime; which is to help Russia and Cuba, which is not reasonable.⁶⁸

There is no evidence that the Carter administration was influenced one way or the other by congressional, business, or UNITA positions on the question of recognition. According to Gaddis Smith, both Carter and Vance supported recognition, but Carter especially wanted to make it contingent on the withdrawal of Cuban troops from Angola.⁶⁹ For Vance, the Cubans were not such an impediment. It was his belief that they would leave once a Namibian settlement was reached and matters between South Africa and Angola settled down. After resigning in early 1980, Vance went public with his advocacy for recognition in his first public

⁶⁷United States-Angolan Relations, Hearing before the House Subcommittee on Africa:39

⁶⁸Bernard D. Nossiter, "Angola Rebel Leader Says His Forces Are Beating Cubans," New York Times, November 8, 1979, p. 2.

⁶⁹Smith, 147.

speech as an ex-Secretary of State.⁷⁰ Assistant Secretary for African Affairs Moose also gave a major policy speech in September 1980 in which he sharply criticized the policy of non-recognition because it foreclosed any avenues of American influence in Angola.⁷¹ But, as Smith later recalled,

The Brzezinski position was simple and politically appealing. It prevailed. There could be no normalization of relations with Angola as long as the Cuban troops remained in Angola--regardless of the State Department's preferences to the contrary.⁷²

Conclusion

So the Carter Administration and the 96th Congress ended with Angola policy basically as it was in 1976. The President could provide no aid to the government of Angola, nor could he assist the anti-government rebels without congressional approval, and the government in Luanda was still not recognized by the government in Washington. But, there were indications that a policy shift was imminent. The increasing margins in Congress for denying aid to the government, the nearly successful attempt in 1980 to repeal the Clark Amendment, the 1980 election of a Republican President and Senate, and the changed international climate brought on by the Soviet invasion of Afghanistan all worked

⁷⁰Paul Tsongas, The Road From Here (New York: Vintage Books, 1981):187.

⁷¹Smith, 147.

⁷²Ibid, 148.

to further dilute support for the Clark-Vance approach to Angola.

Chapter 7

American Policy Towards Angola, 1980-1985

The First Reagan Term: 1981-1984

As described in Chapter 8, the shift to the left in Congress that occurred in the 1972 and 1974 elections was gradually undermined in subsequent elections. In 1980, 1982, and 1984, the process continued. With each election, the base of support for the Clark Amendment grew smaller as leaders of the movement to retain the ban on aid to the anti-communists retired, were defeated, or moved on to other issues.

The 1980 Election: Changes in Congress

The 1980 election is famous for its dramatic impact on the political landscape. For some, the election of Ronald Reagan signalled a sea-change in American politics--a turn to the right that meant a smaller government role and lower government spending on the domestic side, and a more assertive, muscular role on the foreign policy side. In 1980, American voters elected enough Republican Senators to give the GOP control of that chamber, and enough Republican and conservative Democratic Representatives to give President Reagan at least an occasional working majority on most issues in the lower chamber.¹ With regard to foreign

¹The Republicans gained 12 seats in the Senate, to give them a 53-46 margin. In the House, the GOP gained 34 seats, to give them 192 seats to the Democrats 243. Of these Democrats, approximately fifty voted consistently conservative on foreign policy questions. See William Schneider, "Party Unity on Tax,

policy in particular, the 97th Congress was, as measured by the National Security Index, noticeably more conservative than the 96th. In the Senate, the average NSI score of outgoing members was 38. In their first year, the newcomers averaged an 85 NSI score. In the House, the average NSI score for outgoing members was 49; the newly elected class of 1980 averaged 77 in its first year.²

The Executive Branch

A Congress of this complexion was much more likely than its predecessor to cooperate with Reaganesque foreign policy goals and preferences. From his study of conservative policy writings and Reagan's public statements, I.M. Destler found that these goals were: vigorous anti-Sovietism, ideological anticommunism, a preference for military and paramilitary policy instruments as opposed to economic or diplomatic means, a tendency towards polarizing approaches to regional situations, and an "overriding conviction that American world preeminence could and should be restored."³ From these goals flowed particular policy judgments: that Carter's foreign policy was one of "vacillation, appeasement

Spending Issues--Less in House, More in Senate in 1982," National Journal 15(No. 19, May 7, 1983):948.

²These averages were calculated by the author with the assistance of Theo Angelis, a student at Claremont McKenna College, who served as a Mayr Research Fellow in the 1991-92 academic year.

³I.M. Destler, "The Evolution of Reagan Foreign Policy," in Fred I. Greenstein, The Reagan Presidency: An Early Assessment (Baltimore: Johns Hopkins University Press, 1983):129-30.

and aimlessness," that the renegotiated Panama Canal Treaty was a "giveaway," that the Vietnam War was a "noble cause", and that detente was an illusion.⁴

Reagan's Position on the Clark Amendment

With regard to Angola specifically, the Reagan Administration was clearly and unequivocally opposed to the Clark Amendment. During the presidential campaign, Reagan made known his own support for the anti-communist rebels. In a May 6 interview with the Wall Street Journal, Reagan was asked about aiding UNITA. He replied,

Well, frankly, I would provide them with weapons. It doesn't take American manpower; Savimbi, the leader, controls more than half of Angola. Apparently he's got quite a force there, and he's never asked for any kind of help, except weapons, and I don't see anything wrong with someone who wants to free themselves from the rule of an outside power--which is Cubans and East Germans--I don't see why we shouldn't provide them with the weapons to do it.⁵

In the Republican platform, the president's party declared:

Republicans are united in a belief that America's international humiliation and decline can be reversed only by strong presidential leadership and a consistent, far-sighted foreign policy, supported by a major upgrading of our military forces, a strengthening of our commitments to our allies, and a resolve that our national interests be vigorously protected.⁶

⁴Ibid., 129.

⁵Albert R. Hunt and Thomas J. Bray, "An Interview with Ronald Reagan," Wall Street Journal, May 6, 1980: 26. Reagan's assessment of the extent of Savimbi's control was exaggerated.

⁶Official Proceedings of the Thirty-Second Republican National Convention, July 14-17, 1980, (Washington, D.C. Republican National Committee, 1981):243.

With regard to Africa, the platform pledged

...our strong opposition to the effort of the Soviet Union and its militant allies to subvert this process [of self-determination]. Soviet bases, tens of thousands of Cuban troops and Soviet-bloc subversion are unacceptable.⁷

Most of Reagan's chief foreign policy advisers supported this position.⁸ During his confirmation hearings, Alexander Haig, as Reagan's Secretary of State-designate, said this of the Clark Amendment:

I think it is self-defeating and an unnecessary restriction on the executive branch in its attempt to carry out a successful American foreign policy.⁹

It was not a surprise, then, when on March 19, 1981, the Administration formally requested repeal of the Clark Amendment. During his testimony before a House Subcommittee, Under-Secretary of State James Buckley said:

We are...recommending repeal of Section 118 of the International Security and Development Cooperation Act of 1980 [the Clark Amendment]...prohibiting any assistance related to military or paramilitary operations in Angola unless the Congress specifically so authorizes in law. As such, it constitutes a unique and unusually all-encompassing restriction on U.S. policy toward an

⁷Ibid, 316.

⁸Gerald J. Bender, "American Policy toward Angola: A History of Linkage," in Gerald J. Bender, James S. Coleman and Richard L. Sklar, African Crisis Areas and U.S. Foreign Policy (Berkeley, CA: University of California Press, 1985):115.

⁹Department of State, American Foreign Policy: Basic Documents, 1981 (Washington, D.C.: USGPO, 1982):Doc. 626, p. 1131. [Hereafter cited as AFP.]

individual nation.¹⁰

In the same session, Buckley also requested that Congress lift the ban on military aid to Argentina and Pakistan and that Congress loosen the congressional control on the sale of American arms to other nations. The general gist of the testimony was that the president's foreign policy flexibility ought to be enhanced by the removal of a variety of restrictions imposed in the 1970s.

Congressional Response

House Committee Action

Unlike in past years, but not surprising given the outcome of the 1980 elections, the initial action on Buckley's request to repeal the Clark Amendment occurred in the House. Howard Wolpe, the new chair of the House Africa subcommittee, scheduled hearings for March 31 and April 2. At these hearings, the extent of opposition to the repeal proposal became clear. Bill Goodling, a Republican from Pennsylvania, who was the ranking member of the Africa subcommittee, told administration witnesses not to count on his support for a repeal measure.¹¹ Melvin H. Hill of Gulf Oil company warned that repeal of Clark "would almost certainly be interpreted as a decision by the United States to abandon black Africa and align itself with South

¹⁰AFP, 1981, document 628, p. 1133.

¹¹Congressional Quarterly Weekly, April 4, 1981: 588.

Africa."¹² When the hearings ended, the subcommittee vote (on April 27) was 7-0 against repeal. The full Foreign Affairs Committee followed the subcommittee's advice on May 12 and rejected a motion to repeal Clark by a 19-5 vote. There was very little debate in the committee on the question. Rep. Edward Derwinski (R-IL), who was the Administration's point man in the House, summarized his strategy: "We'll probably correct this little matter on the floor,"¹³ where the environment might be somewhat more friendly than the Foreign Affairs Committee, which was still dominated by Democrats from the liberal wing of the party. (See Table 7.1 for committee memberships.)

Senate Committee Action

In the Senate, in the meantime, there were indications that the president's partisan majority might not work for him in this case. Senator Kassebaum of Kansas, elected in 1980, was selected as Chair of the Senate Africa Subcommittee. She publicly expressed concerns about the timing of the repeal proposal. While she agreed that the ban on aid should eventually be lifted, Kassebaum warned that "we have to be cognizant of the signals it sends" and that an emotional debate about covert action could harm the

¹²Ibid., 589.

¹³Congressional Quarterly Weekly, May 16, 1981: 849.

existing consensus about the president's domestic program.¹⁴ These are worrisome sentiments from the person who would be leading the Administration's effort in the Senate. Even had she been fully committed to the Administration's repeal request, Kassebaum might have had a difficult time organizing support for that request, given her newness to the Senate and to Africa policy. She had been assigned to the committee by the Republican leadership, not at her own request, and had no prior experience with and no special knowledge of the complex politics of southern Africa.¹⁵

Some Democrats on the Senate Foreign Relations Committee, including Tsongas, believed that the full committee might have rejected a repeal notion even with its 9-8 Republican majority. (See Table 7.2 for committee membership.) But, they knew that such a motion was certain to reemerge on the floor. To fend this off, and retain control of the issue, Republican Chair Charles Percy of Illinois, along with Tsongas, proposed an amendment to the FY82 Foreign Aid Authorization Bill (S1196) that would repeal the Clark Amendment with certain conditions. Those conditions were that the president certify for Congress that substantial progress had been made toward a settlement in

¹⁴Don Oberdorfer, "Reagan Urges Hill to End Ban on Aid to Angolan Rebels" Washington Post, March 20, 1981, A1.

¹⁵Nancy Landon Kassebaum, personal interview with author, Rutgers University, New Brunswick, NJ, April 1989.

Namibia (including a cease fire and preparations for elections), and that he report to Congress on the amount and form of aid, how the aid served American interests and how the aid affected American interests in other nations.¹⁶

The amendment was adopted by a 10-2 vote on May 13.

¹⁶Congressional Quarterly Weekly, May 16, 1981: 849; and, Judith Miller, "Senate Panel Softens Ban on Aid to Rebels in Angola," New York Times, May 14, 1981: A12.

Table 7.1Members of the House Foreign Affairs Committee, with NSI
Scores, 1981

<u>Democrats</u>	<u>1981 NSI Score</u>	<u>Republicans</u>	<u>1981 NSI Score</u>
Clement Zablocki(WI)	78	William S. Broomfield(MI)	100
L.H. Fountain(NC)	100	Edward Derwinski(IL)	100
Dante Fascell(FL)	20	Paul Findley(IL)	60
Benjamin Rosenthal(NY)	0	Larry Winn, Jr.(KN)	100
Lee Hamilton(IN)	60	Benjamin Gilman(NY)	100
Jonathan Bingham(NY)	0	Robt Lagomarsino(CA)	100
Gus Yatron(PA)	90	Bill Goodling(PA)	78
Stephen Solarz(NY)	20	Joel Pritchard(WA)	56
Don Bonker(WA)	30	Millicent Fenwick(CT)	60
Gerry Studds (MA)	0	Robert Dornan(CA)	100
Andrew Ireland(FL)	89	Jim Leach(IA)	10
Dan Mica(FL)	80	Arlen Erdahl(MN)	30
Michael Barnes(MD)	30	Toby Roth(WI)	100
Howard Wolpe (MI)	10	Olympia Snowe(ME)	80
George Crockett(MI)	11	John LeBoutellier(NY)	100
Robert Shamansky(OH)	60	Henry Hyde(IL)	100
Sam Gedgejenson(CT)	10		
Mervyn Dymally(CA)	33		
Dennis Eckart(OH)	30		
Tom Lantos (CA)	40		
David Bowen(MS)	90		

1981 Dem. average: 41.9

1981 Repub. average: 79.6

1975 Dem. average: 38.9

1975 Repub. average: 77.7

Overall average, 1981: 58.2Overall average, 1975: 52.6

Sources: For committee membership, Congressional Directory, 97th Congress, 1st Session. (Washington, D.C., US Government Printing Office, 1980); for NSI ratings, J. Michael Sharp, The Directory of Congressional Voting Scores and Interest Group Ratings (New York: Facts on File Publications, 1982): passim.

Table 7.2Members of the Senate Foreign Relations Committee, with NSI
Scores, 1981

<u>Democrats</u>	<u>1981 NSI Score</u>	<u>Republicans</u>	<u>1981 NSIScore</u>
Claiborne Pell(RI)	0	Charles Percy(IL)	60
Joseph Biden(DE)	22	Howard Baker(TN)	100
John Glenn(OH)	70	Jesse Helms(NC)	100
Paul Sarbanes(MD)	13	S.I. Hayakawa(CA)	100
Edward Zorinsky(NE)	89	Richard Lugar(IN)	100
Paul Tsongas(MA)	0	Paul Mathias(MD)	33
Alan Cranston(CA)	33	Nancy Kassebaum(KN)	50
Christopher Dodd(CT)	11	Rudy Boschwitz(MN)	70
		Larry Pressler(SD)	39

1981 Dem. average:	29.8	1981 Repub. average:	72.4
1975 Dem. average:	22.4	1975 Repub. average:	63.4

overall average, 1981: 52.3			
overall average, 1975: 39.2			

Sources: See Table 7.1.

Senate Floor Action

When the amendment reached the floor on September 30, it was no longer co-sponsored by Sen. Percy. Between May and September, Percy and others came to believe that making repeal contingent on a Namibian cease-fire would encourage those opposed to repeal (i.e., SWAPO and the MPLA) to continue fighting. Tsongas acknowledged this concern, and from the floor altered his amendment by adding a "date certain." That is, the Clark Amendment would be repealed in the event of a cease-fire, or on March 31, 1983, whichever came first. For Tsongas, this meant that:

that part of the world [would have] time to resolve their issues, 18 months, and at the end of that period if they have not resolved them Clark comes off....So anyone who would think of dragging this thing out has no incentive because indeed there is a date certain at which point Clark is repealed.¹⁷

For Percy, however, the inclusion of the cease-fire language was not acceptable, and he threw his support behind the straight repeal motion offered by Senators Kassebaum and Nunn which provided:

Nothing in this section shall be construed to be an endorsement by Congress of the provision of assistance to conduct military or paramilitary operations in Angola.¹⁸

This was inserted to allay the fears of many potential supporters of repeal about the signal that repeal would

¹⁷Congressional Record--Senate, September 30, 1981. S22523.

¹⁸Congressional Record--Senate, September 30, 1981, p. 22534.

send. For example, Senator Edward M. Kennedy (D-MA), whose fears were not allayed and who voted against repeal, said that

...repeal would add to the widespread impression that American foreign policy is concerned more with military intervention than with diplomatic efforts to protect our international interests.¹⁹

In defense of the Kassebaum-Nunn amendment, Senator Nunn argued that the measure did not imply support for any type of intervention in Angola, but did remove "overly rigid constraints on [the] administration's ability to conduct foreign policy" and was a "step in the right direction" towards a "meaningful" and "balanced" role for the United States in southern Africa.²⁰ The complete foreign aid authorization measure, containing Kassebaum-Nunn, was adopted by the full Senate on October 22. At the end of the debate, the Tsongas amendment was defeated on the floor by a margin of 66-29,²¹ and the Kassebaum-Nunn provision was adopted by voice vote.²²

House Floor Action

By the time the House considered the foreign aid authorization bill in early December, there was considerable pressure to expedite action on the legislation. To that

¹⁹Congressional Record--Senate, September 30, 1981, p. 22527.

²⁰Ibid., 22532.

²¹Congressional Record-Senate, September 30, 1981, p. 22529.

²²Ibid., S22536.

end, the full House followed the recommendation of its Foreign Affairs Committee and did not consider a repeal measure. Rep. Derwinski, who in May had promised a floor fight on the issue, deferred to his party leaders' desires to avoid a divisive debate. This was a bill, after all, that contained many measures supported by the Administration. For example, the bill contained provisions that lifted congressional restrictions on aid to Chile, Argentina and Pakistan. So the House passed a foreign aid bill that did not contain a Clark repeal provision.

Conference Committee Action

In conference committee, the House version without the repealer amendment prevailed over the Senate version with the repeal provision. Here again, the desire to get the authorization enacted was the driving force behind the decision to drop the repeal amendment. According to Martin Tolchin of the New York Times, Senate conferees went along with the House version "at the behest of the Administration, which feared that it would lose the entire bill in the House."²³ On December 16, both chambers accepted the conference report and enacted the foreign aid authorization measure with no provision for repealing the Clark amendment.

Analysis of the Defeat

²³Martin Tolchin, "House-Senate Conferees Approve Foreign Aid Bill," New York Times, December 15, 1981, A29.

Why, in the first year of the Reagan administration, when Congress was willing to lift many of the restrictions on presidential foreign policy-making, did the Clark amendment remain in force? Barbara Sinclair notes that "for the enactment...of major policy changes, both an environmental stimulus which produces strong prochange constituency signals and a landslide election seem to be necessary."²⁴

In the late 1970s, the environmental stimulus was provided by events still fresh in the American mind throughout the early 1980s: the Soviet occupation of Afghanistan and the Iranian hostage crisis. By early 1980, public opinion polls were registering clear "pro-change constituency signals": the American people were manifesting a dramatic increase in their willingness to support increased defense spending and a more assertive American foreign policy. A Yankelovich, Skelly, and White poll conducted in January of 1980, in the immediate aftermath of the Soviet invasion of Afghanistan, found Americans to be "in a fiercely hawkish mood."²⁵ Seventy-eight percent of those polled favored an increase in the defense budget, 86% approved of an embargo on grain sales to the Soviets, and 88% favored a ban on shipments of technical equipment to the

²⁴Barbara Sinclair, Congressional Realignment, 1925-1978 (Austin, TX: University of Texas Press, 1982):183.

²⁵"In a Fiercely Hawkish Mood" Time, February 11, 1980, 22-23.

Soviet Union. A full 41% wanted President Carter to take even tougher measures than these (and the Olympic boycott) against the Soviets. Seventy-four percent of the sample approved of the idea of building American military bases in the Middle East, 62% supported sending large-scale military aid to Pakistan and 57% approved of sending military aid to the Afghan rebels.²⁶

The popular desire for change (in foreign policy and other areas, in particular the economy) manifested itself clearly in the 1980 election. American voters choose Reagan as President by a margin of 8.4 million votes. The Senate came under the control of the Republican party for the first time in 28 years, and took on a decidedly conservative cast. Among the losers were such "pillars of Democratic liberalism" as McGovern, Warren Magnuson of Washington, John Culver of Iowa, and Foreign Relations Committee Chair Church.²⁷ The winners included such "dedicated conservatives" as Charles Grassley of Iowa, James Abdnor of South Dakota, Steven Symms of Idaho and Alfonse D'Amato of New York.²⁸ In the House, Republicans picked up 33 seats to narrow the Democrats' margin to 51. According to Congressional Quarterly Weekly, "...[T]he Republicans were

²⁶Ibid.

²⁷"GOP Wins Senate Control for First Time in 28 Years," Congressional Quarterly Almanac, 1980 (Washington, D.C.: CQPress, 1981):7-B.

²⁸Ibid.

still 26 seats shy of controlling the House, although conservative Democrats were expected to give the GOP an ideological edge on many issues."²⁹

Even with powerful environmental stimuli and clear pro-change constituency signals, Angola policy remained the same. A number of factors, both internal and external to Congress, were at work to slow down the process of policy change.

The Issue itself

While the environmental stimulus of the Soviet invasion of Afghanistan and the Iranian hostage crisis clearly altered the way citizens and congressmembers perceived world politics and the use of American power, conditions in southern Africa prevented the simple application of the anticommunist formula to Angola.³⁰ Apartheid was still an issue of some salience to the American public and Congress. Thus the behavior of South Africa had an impact on American perceptions of the Angolan situation. The desire of many members of Congress to see Namibian independence bred caution about any policy that might interfere with a

²⁹"Republicans Make Substantial House Gains," Congressional Quarterly Almanac 1980 (Washington, D.C.: CQPress, 1981):p. 13-B.

³⁰For fuller treatments of the complex politics of southern Africa see, John de St. Jorre, "Africa: Crisis of Confidence," Foreign Affairs 61(America and the World 1982):esp. 684-691; Jennifer Seymour Whitaker, "Africa Beset," Foreign Affairs 62(America and the World 1983):esp. 758-776; and David Martin and Phyllis Johnson, "Africa: The Old and the Unexpected," Foreign Affairs 63(America and the World 1984):esp. 611-619.

Namibian solution. As noted in Chapter 6, the South Africans were unwilling to talk about Namibian independence unless there were guarantees from Angola that SWAPO, the primary force behind the fight for independence, would cease military action against the South African-supported regime in Namibia. South Africa also wanted the withdrawal of all Cuban troops from Angola as part of a Namibian settlement.

The Angolan position was that these troops would not be asked to leave until the South African army withdrew from southern Angola where it had occupied territory as far as 150 miles into Angola. The South Africans were there to prevent SWAPO guerrillas from invading Namibia. Delicate and sometimes secret negotiations, often led by Chester Crocker, Reagan's Assistant Secretary of State for African Affairs, continued throughout the period, in an attempt to engineer Namibian independence in a manner acceptable to all parties. To strengthen its hand, South Africa employed a policy of destabilization of its neighbors, in part through direct invasion as in Angola, and in part through strong support of anti-government movements, as with UNITA in Angola and the Mozambique National Resistance movement (MNR) that was fighting the regime of Samora Machel in Mozambique.

The complexity of the situation in southern Africa and the delicacy of Crocker's negotiations led many congressmembers, both in 1981 and for several years

thereafter, to the conclusion that any change in American policy might jeopardize an impending settlement. As noted, Senator Kassebaum herself expressed concerns about the timing of the 1981 repeal proposal because of its probable negative impact on a Namibian settlement. Her aide at the time, Phil Christenson, believes that many members of Congress shared this concern; he said that Assistant Secretary Crocker had assured them that a Namibian settlement was imminent, and thus they were cautious about doing anything to jar the delicate balance.³¹

Vietnam Syndrome

Resistance to the repeal of the Clark Amendment was fostered not only by concerns about the impact of repeal on the situation in Southern Africa per se, but also by the lingering sense of concern about foreign entanglements, covert operations, and presidential flexibility. This is indicated by the comment of Clement Zablocki, Chair of the House Foreign Affairs Committee, about the foreign aid bill: "I'd suggest that the short title of this bill should be the 'Defense Contingency and Congressional Abdication Act.'"³² Both Senators Kassebaum and Tunney agreed that in 1981 public opinion and congressional opinion had not yet been "reformulated" (Tunney's word) and that people were still a

³¹Christenson interview, July 1989, AID offices, Rosslyn, VA.

³²"Reagan Wants Looser Ties on Military Aid," Congressional Quarterly Weekly, March 21, 1981, p. 523.

bit wary of the new President.³³ According to a staffer who had worked for Senators Kassebaum, Lugar and Helms, the "rhetoric of democracy" (that it was the mission of the United States to support freedom fighters throughout the world) still sounded a bit disingenuous in 1981; but by 1985, much of the American public and many in Congress had adopted it wholeheartedly.³⁴

Supporters of Clark

In addition to these elements of the issue context that undermined support for repeal, there were also individual levels factors at work on the side of the Clark Amendment. Despite the landslide election, significant numbers of well-placed, outspoken supporters of the Clark Amendment remained in Congress. In 1981, there were still more of these than there were advocates of repeal; by 1985, as we shall see, that had changed. That is, the "turnover effect" that Brady, Cooper, and Hurley use to explain congressional policy change was not sufficiently strong at the turn of the decade.³⁵ Congress was becoming more conservative on foreign policy as evidenced by increases in average NSI

³³Personal interviews: with Senator Nancy Landon Kassebaum at Rutgers University, April, 1989; with Senator John Tunney in Los Angeles, January 1990.

³⁴Personal interview with Phil Christenson, at the Agency for International Development, Rosslyn, VA, June 19, 1989.

³⁵David Brady, Joseph Cooper, and Pat Hurley, "Legislative Potential for Policy Changes: The House of Representatives," Legislative Studies Quarterly 4(August, 1977).

scores, and the lifting of restrictions on aid to Pakistan, Chile and Argentina, but there were still enough liberals to resist policy change in selected cases, such as the imposition of conditions on military and economic aid to El Salvador, the rejection of Ernest Lefever as Assistant Secretary of State for Human Rights, and of course, the maintenance of the Clark Amendment.

The base of support for the Clark Amendment was cemented by several key members, who worked to maintain the ban on aid to the rebels. Attacks on this base were minimized by the departure or lack of interest of key opponents of Clark.

Most important among Clark supporters was Rep. Solarz, who with the help of large numbers of House Democrats, was able to hold the entire foreign aid appropriations process hostage to the repeal issue. By 1981, Solarz had transferred from the Africa Subcommittee to the Asia and Pacific Affairs panel³⁶, but refocused his interest on Africa to fight this particular fight because he believed that repeal of Clark would be "completely contrary to our interests in Africa."³⁷ Solarz was known to be an effective fighter:

He has earned the respect of his fellow House

³⁶Paradoxically, in 1985, Solarz was to be one of the most zealous advocates for covert aid to anti-communist rebels in Cambodia.

³⁷National Journal, October 26, 1985: 2414.

members because he is smart, works hard and has become a recognized expert on foreign policy³⁸

However, Solarz's influence was mitigated by his personality; as one Democratic committee staffer said, "He wins arguments, not votes."³⁹ A House member, in an interview with National Journal agreed that Solarz's impact "was limited by his less-than-perfect relations with fellow members. 'His approach is not always collegial.'"⁴⁰

Still, Solarz's arguments were well-received in 1981, and were buttressed by those of Howard Wolpe, who replaced Solarz in that year as Chair of the House Africa Subcommittee. Wolpe was a logical choice for the position, having lived in Nigeria for two years and taught African politics as Western Michigan University prior to his election to Congress in 1978. Although not a "Watergate baby" per se, Wolpe had the ideological characteristics of one with consistently high ratings from such groups as the Americans for Democratic Action and the American Civil Liberties Union, and consistently low scores from the Chamber of Commerce and the American Conservative Union. On foreign policy, Wolpe was clearly liberal; his National Security Index scores were 0 in 1980 and 10 in 1981. On Angola, Wolpe was favorably disposed to the MPLA government,

³⁸Ibid.

³⁹Not-for-attribution interview, June 1989.

⁴⁰Madison, 2414.

as indicated by his comments after a trip to Angola that he had never seen "more capitalist Marxists," and that he believed that UNITA's Savimbi would be more likely to nationalize industry and expropriate Western interests than would the MPLA's dos Santos (who had replaced Neto upon the latter's death in late 1978).⁴¹

On the Senate side, Tsongas was the point man for the opponents of repeal, although Republican control of the chamber required that he take Republican concerns into account in building his compromise, which was to support the idea of repeal but make it contingent on the progress of the peace process in southern Africa. He was supported on the floor by Senators Dodd and Kennedy. The weakness of the Democratic position in the Senate is indicated by the absolute absence of debate about the Kassebaum repeal motion, once Tsongas's proposal was defeated.

Opponents of Clark

Even with their lack of strength on the Senate side, House supporters of Clark were able to have their way because of the lack of an effective, organized, consistent pro-repeal movement in either House. Of the two Republicans who might have led the 1981 charge to repeal Clark, Goodling (the ranking Republican on the House Africa subcommittee) supported the amendment, and Kassebaum (the Chair of the

⁴¹Mary McGrory, "So Business Loves Marxists," Washington Post, October 11, 1981: C1.

Senate Africa subcommittee) was relatively new at her job and had her own doubts about the wisdom of repeal in 1981. Other members, who would become key in the 1985 debate, such as Claude Pepper in the House and Jesse Helms in the Senate, had not yet shown their interest in the issue. Pepper remained focused on his traditional concerns (health care and the elderly); he would, as we will see, be eventually pulled to the Angola issue by his constituents. Helms was busy in 1981 with his duties as chair of the Agriculture Committee. In mid-1981, when the Clark issue was raised, Helms was fighting to save the tobacco price support program. On foreign policy, Helms did some legwork for the Administration, but not on Angola. He worked on lifting the ban on aid to Chile, on minimizing restrictions on aid to El Salvador, and on preventing a ban on aid to India and Pakistan if they became nuclear powers. But even on these issues, Helms's influence was minimal. In the words of a staffer for the Senate Foreign Relations Committee:

[Helms] doesn't show up very much....Mostly he approaches everything from an ideological point of view...I don't hear any comments from his colleagues about his expertise on foreign affairs.⁴²

Conversion Effect

In other words, not enough members had changed from supporters of Clark to opponents, or had become more firmly

⁴²Dom Bonafede, "Though He's Riding a Conservative Tide, Jesse Helms remains a Lonely Maverick," National Journal, July 18, 1981: 1286.

committed to work for repeal, in order for policy to change. Just as the turnover effect was not large enough to effect policy change, neither was the conversion effect sufficiently strong to result in the repeal of Clark.

The conversion process, though not complete, was in fact underway. A comparison of the one Senate roll call on Angola in 1981 with the Tunney vote in 1975 reveals that thirty Senators voted on both bills. Of these, eight--five Republicans and three Democrats--switched from support of the ban to opposition.⁴³ None switched from opposition to support, fourteen remained consistent in their support for the ban, and eight remained consistent in their opposition to the ban. Clearly, support for the aid ban was softening, and opposition was building, but had not yet reached the critical mass needed for repeal.

Administration Efforts

The relatively unorganized opposition to the Clark Amendment in Congress would have been a less significant hurdle had the Administration been fully and vocally committed to the repeal effort. As it was, however, the Reagan team had its sights set elsewhere, and gave minimal support to Sen. Kassebaum's repeal proposal. (Recall that she, too, was only tepid in her enthusiasm for repeal at this time.) In general, the Administration focused its

⁴³The eight switchers were: Burdick (D-ND), Garn (R-UT), Helms (R-NC), Packwood (R-OR), Randolph (D-WV), Roth (R-DE), and Stafford (R-VT).

attention and political efforts in that first year on domestic issues. Observers of Reagan's first year have noted that "the economy became the first, second and third objective" in 1981, and "the President was determined not to clutter up the landscape with extraneous legislation."⁴⁴

With regard to the foreign aid appropriations bill in particular, the Administration was willing to accept defeat on the repeal of Clark in exchange for passage of an appropriations package that provided a net increase in presidential flexibility. Assistant Secretary of State Crocker characterized the process this way:

The question is how many things are important to you...what happened was that the administration caved...For someone working in the area, it was disappointing because I had the sense that our side hadn't made this the number one priority and that's why we didn't get it....if we had, we would have, because the atmosphere was there.⁴⁵

So, in the end, the Administration requested that its allies in Congress avoid a floor fight over Clark (despite Rep. Derwinski's earlier threat to engage in such a fight) so as to facilitate the passage of other measures, such as aid to Pakistan, Chile, Argentina, and the Middle East, that were of a higher priority.

Crocker's comments notwithstanding, there is some

⁴⁴Cited in Charles O. Jones, "Ronald Reagan and the U.S. Congress," in Charles O. Jones, The Reagan Legacy (Chatham, NJ: Chatham House Publishers, 1988):38.

⁴⁵Personal interview with Chester Crocker, Professor of Political Science, Georgetown University, at Georgetown, July 17, 1989.

evidence that he, too, was not strongly committed to overturning the Clark Amendment. Helms, in fact, had held up Crocker's confirmation hearings because of his concern that Crocker was not sufficiently hard-line in his approach to the Marxist governments of southern Africa. And according to one staffer, during 1981, Crocker consistently assured members of Congress that a settlement was near in Namibia, perhaps encouraging members to maintain Clark and avoid jeopardizing that settlement.⁴⁶ As noted above, even Senator Kassebaum was persuaded by this logic, and repeatedly expressed her concern about the particular timing of the repeal proposal.⁴⁷ With this kind of weak support from the Administration and its congressional allies, it is not surprising that the repeal effort failed.

The role of business

As in 1975, there was relatively little interest group activity on the repeal issue. The business community made known, in a very quiet way, its opposition to repeal, again aligning itself with foreign policy liberals and Marxists governments. On April 1, 1981, Melvin J. Hill, President of Gulf Oil Exploration and Production Company, met with Vice President George Bush and advised him that the Administration's Angola strategy should be revised; on the

⁴⁶Christenson interview.

⁴⁷Judith Miller, "Reagan Seeking More Flexibility to Set Foreign Policy," New York Times, March 20, 1981:6.

same day, Hill testified before the House Africa Subcommittee and described the Angolan government as "businesslike and nonideological" and "anxious to develop an opening to the West."⁴⁸ Other companies echoed these sentiments. Texaco, Cities Service, General Electric, Boeing, and General Tire and Rubber all characterized the Angolan government as "pragmatic."⁴⁹

There is no evidence of other significant interest group activity in 1981. The issue was relatively noncontroversial, garnered little media coverage, and was handled primarily within the halls of Congress.

1981 was not the year

Nineteen eighty-one was not the year for the repeal of Clark. Although changes in the international arena created an atmosphere friendly to anti-communism, and a president was elected who shared this approach to international politics, factors within Congress had not changed enough to permit a policy shift. Three years later, the outcome would be different.

Angola Policy: 1982-1984

In contrast to the 1976-1981 period when Congress considered the Angola question frequently, there was very little activity on that question between 1981 and 1985.

⁴⁸Terence Smith, "Companies Resisting U.S. Foreign Policy," New York Times, June 27, 1981:A1.

⁴⁹Ibid.

Congressional Quarterly Almanac, the chronicle of legislative branch activities, contains no reference to Angola in 1982 and 1983, and only one in 1984 (pertaining to the famine and drought afflicting Africa). The three pillars of American policy towards Angola remained intact. No American aid went to either the government of Angola or to the anti-communist rebels fighting that government, nor did the government of the United States recognize the government of Angola.⁵⁰

Congress did pass some resolutions about South Africa, protesting its policy of destabilizing its neighbors. In 1982 and 1983, there were a number of significant military encounters between South Africa and SWAPO in both Angola and Namibia. In December 1983, the South African army penetrated more than 150 miles into Angola "in its biggest operation in three years."⁵¹

These actions, the lack of progress on Namibian independence, and the growing anti-apartheid movement at home, led Congress to pass several measures designed to put pressure on South Africa. In 1983, for example, the House passed provisions that would deny IMF loans to governments practicing apartheid, prohibit exports of military and police equipment to South Africa, prohibit the importation of Kruggerands, and prohibit commercial bank loans to the

⁵⁰See AFP 1984, Document 424, p. 848; and Document 411, p. 819.

⁵¹Martin and Johnson, 611.

South African government except for those that would fund non-discretionary education, health, and housing programs.

But, during these three years, congressional attention to foreign policy matters was generally focused elsewhere. On December 13, 1981, the Polish government imposed martial law in Poland. In mid-1982, the Argentines and the British fought a short war over the Falkland Islands. At the end of 1982, the Christian President of Lebanon, Bashir Gemayel, was assassinated, and Christian troops responded with the massacre of PLO civilians in Sabra and Shatila, Lebanese refugee camps. The possibility of full-scale civil war in Lebanon was high.

Much of 1983 was taken up with discussions of Lebanon policy, culminating (from a congressional perspective) with the passage of the Multinational Force in Lebanon Resolution in September authorizing deployment of Marines for 18 months--a deployment cut short by the terrorist bombing of Marine barracks in Beirut that resulted in the deaths of more than 250 Marines. In October 1983, legislative (and popular) attention shifted to the Caribbean with the invasion of Grenada, which was over before there was time for a congressional response. Considerable time was spent in Congress discussing the wisdom of Reagan's Central American policy, and the House voted twice to cut off funds to the Nicaraguan contras. In August 1983, the Soviets shot down a civilian Korean Airlines flight, deepening American

concern about the motives and the nature of the Soviet Union.

Relative to 1983, 1984 was a quiet year for foreign policy. The editors of Foreign Affairs noted:

For the United States the central event of 1984 was the presidential election. It even seemed as if the world had agreed to a brief pause while American once again sorted out its domestic problems.⁵²

There were, of course, some issues on the table. Lebanon dominated debate until the withdrawal of troops in February. Aid to the Contras in Nicaragua continued to be an issue of contention between the president and congress. According to one observer, "Congress engaged in an open debate for most of 1984 over whether to continue covert CIA funding."⁵³ In the end, Congress prohibited the expenditure of any funds to support the contras before March 1, 1985 and required that all expenditures thereafter receive the approval of both houses.⁵⁴ Severe famine in Ethiopia generated broad public and congressional sympathy and "created a strange political situation: an American administration, proud of its anti-communist credentials, shipping emergency relief to a country ruled by a regime of

⁵²"Introduction," Foreign Affairs 63(America and the World, 1984):441.

⁵³William D. Rogers, "The United States and Latin America," Foreign Affairs 62(America and the World 1984):564.

⁵⁴Congress and Foreign Policy 1984 House of Representatives, Committee on Foreign Affairs, Committee Print (Washington, D.C.:USGPO, 1985):2

newly proclaimed Marxists-Leninists."⁵⁵

And, in southern Africa, South African Bishop Desmond Tutu received the Nobel Peace Prize, "igniting...a sudden and vehement outcry in the United States against South African racism."⁵⁶ This outcry would manifest itself the following year during debates on Angola.

But, as noted, the election was the big story in the United States in 1984. Reagan won re-election handily, carrying every state except Minnesota (opponent Mondale's home state) and the District of Columbia. Republican control of the Senate was maintained, although the Democrats picked up two seats to reduce the GOP margin to 53-47. In the House, the Republicans gained fourteen seats, but failed to make up for the ground they lost in 1982, when twenty-six seats switched to the Democrats.

The election brought some significant changes in the foreign policy apparatus of Congress. The defeat of Senator Percy left the Chair of the Senate Foreign Relations Committee open for Richard Lugar of Indiana, a close friend and ideological soulmate of the president. Percy's NSI score in 1982 was 60; Lugar's was 100. The chairmanship of the Foreign Operations Subcommittee of the House Appropriations Committee moved from the defeated Clarence Long of Maryland to David Obey of Wisconsin. Long's NSI

⁵⁵"Introduction," :445.

⁵⁶Ibid, 446.

score in 1982 was 60, compared with Obey's 30. The death of Zablocki in December 1983 transferred the chair of the House Foreign Affairs Committee to Dante Fascell of Florida. Zablocki's NSI score in 1982 was 78; Fascell's was 20. If NSI scores are taken as indicators of policy orientations, it seems that the 1984 elections and Zablocki's passing brought a leftward shift in the House foreign policy leadership, and a rightward shift in the Senate. Chapters 9 and 10 will show how the partisan and leadership shifts played out in the 1985 debate over the Clark Amendment.

1985: the convergence of environmental and institutional and individual factors

The eight years between the imposition of the Clark Amendment in 1976 and its repeal in 1985 were years of dramatic change in American politics and world affairs, but of policy stability in Angola. While it is true, as Sinclair, Brady, and others note, that environmental stimulus and landslide elections produce the possibility of policy change in Congress, it is also true that the internal power structure in Congress, and a lag in congressional and public opinion, can inhibit that possibility. In the case of the Clark Amendment, Congress was changing internally; for many members were finding that the lessons of Vietnam were being superseded by the lessons of Afghanistan. Some of those who refused to learn were dismissed by the voters. By 1981, the process had not come far enough to permit policy change; but by 1985, enough members had switched

positions, or been replaced, to bring about policy change. Another, reinforcing landslide election had occurred in 1984, and the environmental stimulus of the Soviet invasion of Afghanistan was reinforced by such things as the shoot-down of the KAL flight on the one hand, and the successful show of force against a left-leaning government in Grenada on the other. By 1985, the time was right to repeal the Clark Amendment.

The Repeal of the Clark Amendment: Legislative History

Section 118 of the International Security and Development Cooperation Act of 1980 (prohibiting assistance for military or paramilitary operations in Angola) is repealed.⁵⁷

The wording of the repeal amendment is concise and terse; appropriately, so too is the legislative history of the 1985 repeal of the Clark Amendment. Unlike in 1975, where there was intense behind the scenes bargaining and protracted committee hearings and floor debate about imposing the Clark amendment, in 1985 its repeal was proposed almost without warning and enacted with little fanfare.

SENATE ACTION

On May 14, 1985 the first reference of the year to the Clark Amendment appears in a congressional document. During floor debate of the annual foreign aid appropriations bill Senator Stephen Symms (R-ID) proposed repeal of the

⁵⁷99 Stat. 264, P.L. 99-83, August 8, 1985.

amendment.⁵⁸ He asked his colleagues to do again what they had done in 1981: to "lift the prohibition against aid to the freedom fighters in Angola."⁵⁹

Symms engaged in a colloquy with Senator William Armstrong (R-CO) at the start of which Armstrong thanked Symms for

...raising an issue which has for too long been ignored by most of the Members of the Chamber and by most of the people at home.⁶⁰

The two Senators then proceeded to lay out the logic of Symms' proposal: that "as the leader of the free world," the United States must "support our friends who aspire to the same goals as we do;" that Jonas Savimbi is "one of the greatest men in the world..a pro-Western, Christian, black nationalist:" that Congress must inhibit the State Department's attempts to "salvage the MPLA and prevent the forces of democratic government from winning in Angola;" and that "the only way we are going to achieve peace in Angola is to help the Unita forces achieve a clear-cut military victory."⁶¹

Symms and Armstrong also discussed the provision of the bill that would send \$15 million in economic aid to Zimbabwe, "a country which is on a fast and sure track

⁵⁸Symms' motivations will be discussed in Chapter 11.

⁵⁹Congressional Record--Senate, May 14, 1985, S6053.

⁶⁰Ibid., S6055.

⁶¹Ibid., S6052-3 and S6067.

toward a one-party Marxist state," and an unspecified amount to Mozambique, "a Soviet client state which with the support of our State Department is attempting to snuff out their [sic] democratic opposition."⁶² The two Senators pointed out the seeming anomaly of American aid flowing freely to Marxist states, but being denied to Savimbi in his fight for democracy in Angola.

No other Senators participated in debate on this day, and Symms' amendment was withdrawn at the request of Sen. Richard Lugar, Chair of the Senate Foreign Relations Committee. Lugar, who had just assumed the chairmanship, was committed to reporting a bill that would be acceptable to both his Senate colleagues and the president. The Senate had been unable since Reagan's first year to produce a foreign aid bill because of accumulated conflicts over aid to Israel, military assistance for Jordan and Saudi Arabia, and assistance to the government of El Salvador and to the Nicaraguan contras. Instead, Congress had used continuing resolutions to provide foreign aid funding in 1981, 1982, 1983, and 1984. This meant the shape of the foreign aid package was influenced more by the President and members of the Appropriations Committees than by members of the foreign policy committees.⁶³

⁶²Ibid., 6053.

⁶³Gary J. Pagliano, "The 99th Congress and Foreign Assistance in an Era of Budget Constraints," Congress and Foreign Policy--1985-86. U.S.Congress.House. Committee on Foreign Affairs

In order to restore his committee's (and his own) impact on this outcome, Lugar worked hard to produce a bill that did not contain controversial, or "killer," issues and that met with Administration approval. In May, Lugar believed that a proposal to repeal the Clark Amendment might be controversial enough to jeopardize passage of the entire package.

In return for Symms withdrawing his repeal proposal, Lugar promised to hold full hearings on the Clark Amendment, and to consider a repeal proposal during discussion of the upcoming State Department authorization bill. Lugar reminded Symms that four years earlier, a similar repeal provision that was attached to a contentious foreign aid appropriations bill had been dropped in the last-minute bargaining that always accompanies foreign aid proposals. Symms agreed:

Clark repeal might be even more appropriate legislatively on State authorization than on this foreign aid bill, because we never know, when it goes to the other body, how it will fare.⁶⁴

So Symms honored the Chair's request and withdrew his amendment, and the Senate version of the foreign aid bill passed the next day (May 15) without the repeal provision.

Lugar's promised committee hearings were never held. During committee mark-up of the State Department

(Washington, D.C.: USGPO, 1988):122.

⁶⁴Ibid., S6067.

authorization bill, Phil Christenson, aide to Africa Subcommittee Chair Kassebaum, approached Margaret Calhoun, aide to Symms, and said, "We'll accept your amendment."⁶⁵ The subcommittee's support, offered in the environment of mid-1985, made it clear to Symms and Lugar that the Symms amendment would pass without the advance work of subcommittee hearings. The next chapter will show that the summer of 1985 was indeed a propitious time for proposals that would increase presidential flexibility and provide assistance to anti-communist movements.

On June 10, 1985, as promised, Symms offered his amendment from the floor during discussion of the State authorization bill (S 1003). He was joined by Senators Helms, Armstrong, Goldwater, Denton, Thurmond, McClure, Quayle and Mattingly as co-sponsors. Debate occurred on June 10 and 11. Symms made an extended argument for repeal, and Armstrong, Denton, Lugar and Kassebaum made shorter statements in support of Symms. Armstrong and Denton subscribed to Symms' argument: that is was the role of the United States to support those forces fighting Soviet influence and that the Clark Amendment impeded that effort. As Symms put it:

I hope that the Senate can see the merit of repealing the pernicious Clark amendment, and

⁶⁵Margaret Calhoun, Senior Africa Analyst, International Freedom Foundation, June 24, 1992, phone interview. At the time of the Clark Amendment repeal, Calhoun was Symms' legislative assistant with responsibility for Africa policy.

sending a message of vocal support for the overwhelming number of Angolans who want to be freed from Communist slavery.⁶⁶

Denton argued that both compassion and self-interest should motivate members to repeal Clark. Third World countries, he argued, who are "innocent, naive and vulnerable" enough to fall under Soviet influence, find themselves in a condition of "unmitigated poverty and total bondage."⁶⁷ According to Denton:

The failure of the free world to oppose vigorously this timeworn pattern of Soviet-sponsored usurpation of the Third World's hope for the future is making us silent partners in the spread of that tragedy.⁶⁸

In Denton's view, American self-interest was also at stake in Angola. He cited a 1973 statement by Leonid Brezhnev as evidence:

...Brezhnev said, "Our aim is to gain control of the two great treasure houses on which the West depends..., the energy treasure house of the Persian Gulf and the mineral treasure house of central and southern Africa." An examination of [Soviet] African foreign policy will reveal that the Soviets have acted at every opportunity to fulfill that objective.⁶⁹

Senators Lugar and Kassebaum made less emotional and more procedural arguments for repeal. Lugar pointed out that the Senate had passed a repeal measure in 1981 and that

⁶⁶Congressional Record--Senate, June 10, 1985, S7839.

⁶⁷Ibid., S7850.

⁶⁸Ibid.

⁶⁹Ibid.

measure had bipartisan support. Lugar quoted from Paul Tsongas' 1981 floor statement that argued that country-specific prohibitions on covert activities were "a kind of anachronism" because reforms in congressional oversight of intelligence agencies had given Congress adequate control over such activities.⁷⁰ So, Lugar argued:

The vote is more a vote of confidence in the Members assigned to the Intelligence Committee than a vote for covert aid to anyone...⁷¹

Kassebaum was even more circumspect than Lugar in her support for the Symms amendment. Like Lugar, she argued that the Clark amendment should be repealed because it is an "out-of-the-ordinary restriction".⁷² She was quick to emphasize that repeal would not commit the United States to "some positive course of action." However, Kassebaum worried that the timing of the repeal measure was "not fortuitous." She condemned the general increase in South Africa of repression and black loss of life in the prior eight months, and criticized the foiled South African attack on an American-owned oil facility in Cabinda in late May. Kassebaum expressed concern that repeal of Clark at this time might "be perceived as supporting South Africa."

⁷⁰Ibid, S7836.

⁷¹Ibid.

⁷²All quotations in this paragraph come from Congressional Record--Senate, , June 11, 1985, S7879.

Nonetheless, she concluded her remarks by saying:

I am mindful of the problem of sending "wrong signals," but I feel that we must, nevertheless, take the legislative action that is justified by the merits of the case. Members will recall that similar arguments about the "time not being right" were raised when I proposed, and the Senate passed, this same action 4 years ago. If we wait until the time is "right," I am afraid we will never repeal the amendment.⁷³

Only Senators Pell and Kennedy made short statements against the Symms proposal. On June 10, Pell, using the same line of reasoning that Kennedy would present the following day, argued that repeal of the Clark Amendment would increase the MPLA's dependence on Cuba and the Soviet Union because repeal would be perceived as the prelude to American assistance to UNITA. He also argued that both South Africa and black African nations would "view repeal as American interference in Angolan affairs and as further evidence that the United States supports the racist government in Pretoria."⁷⁴

When the ayes and nays were counted on June 11, Senator Symms' amendment carried by a significant 63-34 majority. Seventeen Democrats (eleven from the South) joined forty-six Republicans in support of Symms; only four Republicans voted with thirty Democrats against the amendment. (A complete analysis of this roll call will be presented in Chapter 9.)

⁷³Ibid.

⁷⁴Congressional Record--Senate, June 10, 1985, S7836. For Kennedy's statement, see *ibid.*, S7878.

Also on June 11, the Senate voted to indefinitely postpone S. 1003 and adopted instead the House version of the State Department authorization (HR 2068) without the Symms Amendment attached and committed the bill to conference committee where the case would be made for the repeal of Clark, and other measures on which the House and Senate disagreed.

House Action

In the meantime, while the conferees were deliberating, there was a surprise development on the House floor. On July 10, during debate on the International Security and Development Act of 1985 (HR 1555, which was the very same foreign aid bill that Lugar had been trying to shepherd through in May), Samuel Stratton (R-NY) rose to propose the repeal of the Clark Amendment, as sponsored by himself and Democrat Claude Pepper of Florida. Debate on repeal was longer and more contentious than in the Senate, with eight representatives speaking for repeal (Pepper, Stratton, Hyde, Siljander, McCain, Lagomarsino, Dornan, and Broomfield) and five speaking against (Solarz, Gray, Wolpe, Berman, and Weiss).

The arguments for and against were essentially the same as those presented in the Senate. Supporters of repeal argued that it was important to stand up to Soviet advances, that the president should be granted maximum flexibility in foreign policy, that the intelligence committees would

ensure that no aid went to UNITA without congressional knowledge, that repeal was consistent with other measures in the bill (in particular the provision of aid to anti-communist movements in Nicaragua, Cambodia, and Afghanistan), and that repeal would indicate to the rest of the world that "we are not terminally ill with the dreaded 'Vietnam syndrome.'" ⁷⁵

Opponents argued that repeal would imply that the United States was in alliance with South Africa, that Savimbi was not the pro-business, pro-America freedom fighter that his supporters in Congress believed him to be, that repeal would drive the government of Angola more deeply into the arms of the Cubans and Soviets, and that repeal would eliminate the incentive for the MPLA to cooperate in a settlement of the Namibian issue.

After about two hours of debate, the roll was called, and the Stratton-Pepper amendment to HR 1555 was adopted by a 236-185 vote. Sixty Democrats joined 176 Republicans in voting for the repeal; only six Republicans voted with 179 Democrats against. When the complete House bill went to conference committee, Senate conferees accepted the repealer without debate and the conference report was accepted, again without debate, on July 30 by the Senate and July 31 by the House. The Senate's acceptance on July 30 of the repeal

⁷⁵In the statement of Representative Robert Dornan (R-CA), Congressional Record--House, July 10, 1985, H5421.

amendment to S.960 (the foreign aid authorization bill) rendered redundant the Symms amendment to S.1003 (the State authorization bill), and the latter was dropped in the conference committee for S. 1003 on July 31. When President Reagan signed S. 960 into law, as P.L. 98-83, on August 8, 1985, the Clark Amendment was formally repealed.

This legislative history is short and uncomplicated. The question of repeal was raised, some rather perfunctory debate occurred, and the repeal measure was passed by a sizable margin in the Senate and a comfortable margin in the House. The explanation for why the decision occurred when it did, and why it was so quickly adopted is a longer story. Chapter 10 parallels Chapters 4 and 5 in its analysis of the environmental determinants of repeal. Chapter 9 parallels the second half of Chapter 3, and contains an analysis of the institutional dynamics at work. Chapter 10, like the first half of Chapter 3, presents the individual-level dynamics at work on the decision to repeal.

CHAPTER 8

ANALYSIS OF THE CLARK AMENDMENT REPEAL: ENVIRONMENTAL INFLUENCES

The summer of 1985 brought some quite dramatic changes in congressional foreign policy. In the same piece of legislation that carried the Clark amendment repeal, Congress approved \$27 million in aid to the Nicaraguan contras (lifting a ban that had been imposed a year earlier), voted \$5 million in aid to Cambodian insurgents fighting against the Vietnamese, and provided \$15 million in overt humanitarian aid for Afghans rebelling against Soviet occupation of their country. Rep. Vin Weber (R-MN) characterized the votes this way:

Members of Congress don't want to look weak right now...It's a change in policy in the right direction. We're really enunciating a Reagan Doctrine [see below] in the Congress--that we will support resistance movements around the world.¹

Why the sudden public affection among members of Congress for anti-communist movements? Why the willingness to change policy? Why now, and not four years earlier when the international environment was even more threatening in the wake of the Iranian hostage crisis and the Soviet invasion of Afghanistan?

As we saw in Chapter 7, these environmental threats did produce some policy changes, but not on Angola. Throughout the early 1980s, the balance of political forces within

¹Steven V. Roberts, "House Approves Foreign Aid Bill Opposing Marxists around the World," New York Times, July 12, 1985, A1.

Congress remained in favor of maintaining the Clark Amendment. By 1985, however, things had changed. In Chapters 9 and 10, I will show how the partisan and ideological balance in Congress in 1985, and the particular members who were active on the issue, created an internal political situation that was much more conducive to the call for repeal than was the case in previous years.

In this chapter, we shall see how the opinion environment, both inside and outside of Congress, had settled into a pattern that was friendly to the idea of repeal. The particular timing of the repeal was determined by a series of quite minor foreign policy crises that, taken together, created an atmosphere of urgency. And the actions of the President, the media and interest groups supported this opinion environment.

Atmosphere: The Old Mood

Just six months before the legislative action of the summer of 1985, Christopher Madison of the National Journal wrote that "the [Vietnam] war lives on, hangs over Washington like a ghost, a colossal failure still inspiring caution, if not fear, in those who make foreign policy, lest they stumble into 'another Vietnam.'"² Madison noted that both Dante Fascell, Chair of the House Foreign Affairs Committee, and Caspar Weinberger, Secretary of Defense,

²Christopher Madison, "Lessons of Vietnam Still Color U.S. Foreign Policy," National Journal, Vol. 17(January 12, 1985):98.

recently expressed a "deep skepticism" about the use of military force, and that both cited the 1983 commitment and early withdrawal of troops to Lebanon as an example of a "narrow escape" from a quagmire similar to Vietnam. As late as April 1985, Strobe Talbott wrote:

Congress is nearly as reluctant today to approve secret wars as it was a decade ago--while the worldwide network of Soviet clients is vulnerable to American counterpressure, it is difficult for the United States to sustain that pressure, not to mention apply it clandestinely.³

Atmosphere: The New Mood

Yet within weeks of Talbott's column, some observers were declaring the Vietnam syndrome dead, and the mood of caution observed by Madison had largely dissipated. At both the symbolic and the policy levels, Congress was making clear statements of support for anti-communist movements, taking clear sides, in four different areas of the world. Opponents of this course of action tended to interpret it as a temporary emotional response to what Rosenfeld called the "passing events" summer of 1985 (see below for a list of these events)⁴. Rep. Howard Wolpe said, "People are just kind of knee-jerking. There's a very edgy mood in the Congress, a very interventionist mood."⁵ According to a

³Strobe Talbott, "Turning the Tables on Moscow," Time, April 15, 1985.

⁴Stephen S. Rosenfeld, "The Guns of July," Foreign Affairs 64(Spring 1986):702.

⁵Margaret Shapiro, "Foreign Aid Bill Voted by House," Washington Post, July 12, 1985, A1.

staffer for the left-of-center Arms Control and Foreign Policy Caucus, "Everyone on the floor was voting for the death penalty for everything under the sun...it was an ugly, ugly mood."⁶ Rep. Michael Barnes (D-MD) said, "It's sort of an angry mood around here? Who can we stick it to next?"⁷

Supporters of the new more muscular congressional foreign policy interpreted the actions of the summer of 1985 as the results of an epiphany, a sudden realization by foreign policy liberals that the United States both could and should be a force for positive change in the world. Rep. Henry Hyde (R-IL) said of the Clark Amendment's repeal that it was "like taking a cast off a broken leg. It shows we are no longer paralyzed by Vietnam-guilt legislation."⁸

This shift in mood was neither an emotional overreaction to passing events nor a sudden falling of the scales from the eyes of Democrats. Rather it was the culmination of a gradual but persistent shift to the right among the American people regarding the role of the United States in the world.

⁶Caleb Rossiter, Arms Control and Foreign Policy Caucus, Personal interview, Washington D.C., August 9, 1989.

⁷Roberts, July 12, 1985.

⁸Ibid.

Manifestations of the New Mood

Growing Concern about the Soviets

For some time, members of Congress and the public had been demonstrating increased concern that the global balance of power was shifting to the Soviets' favor. This concern drove up public support for, and congressional commitment to, increased defense spending. According to Barry Blechman, President Carter attempted to "implement the defense cutbacks [he had] promised in the campaign...[but] the Congress was ready to assert its more accurate understanding of the nation's growing uneasiness about the United States's diminishing military capabilities."⁹

After the election of Ronald Reagan, the "Congress enthusiastically endorsed the very sharp increases in defense spending requested by the administration. The defense budget grew by sixty-eight percent between...1980 and...1983."¹⁰

This concern about growing Soviet power was heightened by what Rosenfeld calls a "third wave of newly declared or alleged Marxist states:" South Vietnam, Cambodia, Laos,

⁹Barry M. Blechman, The Politics of National Security (New York: Oxford University Press, 1990):35.

¹⁰Ibid. As Blechman and others point out, while Congress agreed with the President's desire to increase the defense budget, Congress continued, throughout this period, to engage in very specific oversight of the growing defense budget. For example, the Congress made 1,315 changes in the defense authorization bill proposed by the president for FY85, compared with 222 such changes made in the FY76 proposal.

Angola, Mozambique, Ethiopia, South Yemen, Nicaragua, Grenada, Suriname and Afghanistan.¹¹

Public opinion polls measuring attitudes about the Soviets revealed strongly negative feelings, high levels of distrust and great wariness about the Soviets' intentions. Since 1973, the General Social Survey has asked the following question yearly:

Thinking about all the different kinds of governments in the world today, which of these statements comes closest to how you feel about communism as a form of government?¹²

In March of 1976, about the time of the passage of the Clark Amendment, 77% of those sampled replied that communism was a bad, or the worst, form of government; twenty-one percent said it was "okay for some" or good. In March of 1985, shortly before the repeal of the Clark Amendment, the number giving communism a negative rating had risen to 83%, and the positives had dropped to 14%.¹³

When asked to choose from a list of options the statement that best described Soviet objectives in the world, 39% of those polled in the immediate aftermath of the invasion of Afghanistan selected "Russia seeks world domination and will risk war to achieve it." By mid-1985,

¹¹Stephen S. Rosenfeld, "The Guns of July," Foreign Affairs 64(Spring 1986): 699.

¹²Richard G. Niemi, John Mueller and Tom W. Smith, Trends in Public Opinion: A Compendium of Survey Data (Westport, CT: Greenwood Press, 1989):69.

¹³Ibid.

that number had dropped to 20%. Still, only 7% of those polled in 1985 chose the mildest statement from the list: "Russia seeks only to protect itself against the possibility of attack by other countries." Thirty-eight percent selected "Russia seeks global domination but not at the expense of a major war," and 28% chose "Russia seeks to compete with the U.S. for more influence in different parts of the world."¹⁴

In May of 1984, an ABC News/Washington Post poll revealed that 55% of those surveyed believed that the "U.S. should take all steps including the use of force to prevent the spread of communism in Central America."¹⁵ A 1982 Gallup poll revealed that 86% of the respondents felt that containing communism was a very important (59%) or somewhat important (27%) foreign policy goal.¹⁶

In Washington, Republicans and conservatives had been worried about the shifting balance of power for a long time. In a 1981 Foreign Affairs article, John Tower, then Chairman of the Senate Armed Services Committee, gave voice to these concerns:

We know that the Soviet Union maintains clandestine operations which are well organized, well disciplined, well financed, well trained and often well armed, in virtually every Third World

¹⁴"Opinion Roundup," Public Opinion, 10(March/April 1988):26.

¹⁵"Opinion Roundup," Public Opinion 10(September/October 1987):21.

¹⁶Ibid.

country....To inhibit the United States in its ability to conduct covert operations, to provide military assistance to pro-West governments or groups, and to respond quickly to military crises is to concede an enormous advantage to the Soviet Union and its proxies.¹⁷

According to Rosenfeld, by 1985, "the conservative brief had sunk in."¹⁸ There was a sense among more and more Democrats and foreign policy liberals that the growing number of Marxist regimes in the world was not coincidental, but rather the result of "a default of American will--the 'Vietnam syndrome'--and [of] the Kremlin's sure-handed orchestration of Soviet troops, arms and surrogates."¹⁹

Growing American Confidence

At the same time as these "liberals" were realizing that American inaction in the international arena may have encouraged Soviet action, conservatives, the President included, were emphasizing that the United States was, and had always been, a force for good in the world, and that it was now time to reestablish that position. Large segments of the American public shared this confidence and supported an active American role in the world.

In a 1986 study, forty-one percent of Americans surveyed said that the "U.S. plays a more important and

¹⁷John G. Tower, "Congress versus the President: The Formulation and Implementation of American Foreign Policy" Foreign Affairs 60(Winter 1981/82):246.

¹⁸Rosenfeld, 706.

¹⁹Ibid.

powerful role as a world leader today as compared to ten years ago."²⁰ This represented a 14 point increase from 1982. In early 1985, 67% of the respondents to a Gallup poll agreed that "the ability of the nation to defend itself militarily has gotten better as a result of Reagan's policies."²¹

Growing internationalism

Accompanying this sense of confidence was an increased public attentiveness to foreign policy and growing support for the use of military force. The Chicago Council on Foreign Relations found that in 1986, 26% of Americans named foreign policy as "one of the biggest problems facing the country today."²² Compared with the 15% who gave this answer in 1982 and the 11% in 1978, this indicates "a receding [of] the 'inward-looking' attitude that characterized the American people throughout the 1970s."²³

The Chicago Council survey also revealed that

In 1986 Americans were somewhat more willing to use troops in selected circumstances, reflecting perhaps a waning of the influence of the Vietnam experience.²⁴

²⁰John E. Rielly, ed., American Public Opinion and U.S. Foreign Policy, 1987 (Chicago: Chicago Council on Foreign Relations, 1987):11.

²¹"Opinion Roundup," Public Opinion 8 (June/July 1985):33.

²²Ibid., 9.

²³Ibid., 5.

²⁴Ibid., 32.

When asked, in 1982, whether it was better to accept Russian domination rather than risk what could be a "horrible" war, 93% of those surveyed said that it was better to fight than be dominated by the Soviets.²⁵ Americans also revealed a willingness to fight for the defense of other nations. Polls taken in 1986 to measure public support for defending various nations or regions (e.g., Western Europe, Israel, Taiwan) showed increases in public commitment to the use of force in virtually every circumstance mentioned in the poll.²⁶

On the issue of Angola and similar regional conflicts, there was still some public hesitation about getting involved. At the same time, there was some increase during the decade in public support for aid to anti-communist movements. While a 1976 Time/Yankelovitch poll (cited in Chapter 4) found that only 21% of the public would support assistance to the Angolan rebels, the Chicago Council's 1986 survey found that 49% were willing to give economic and/or military aid to "rebel groups fighting their communist supported governments."²⁷ However, when the 1986 group was asked about military aid only, the answer was almost as negative as it had been ten years earlier; only twenty-four

²⁵"Opinion Roundup," Public Opinion, 6(April-May 1983):29.

²⁶For 1986 numbers see *ibid.*, 32. For 1978 and 1982 data, see Opinion Roundup 6(April-May 1983):29.

²⁷*Ibid.*, 26.

percent of the 1986 sample supported military aid, compared with the 21% in 1976. So, while the public was clearly more permissive of an assertive foreign policy, there continued to be some reticence about where and when to get involved.

President Reagan provided several opportunities for a reality check on these attitudes when he used American military power: the shoot down of Libyan jets in 1981, the exercise in Grenada in 1983, and the air attack on Syrian position in Libya in 1983. Each was greeted with resounding public approbation.

Control of foreign policy

Along with these increases in support for an assertive American role in the world came growing support for increased presidential power in the foreign policy-making arena. In the mid-1970s, large majorities of Americans favored increased congressional involvement in all phases of foreign policy making. By the mid-1980s, The Chicago Council survey was picking up a shift in public attitudes towards a preference for increased executive initiative. By 1986, there was a "substantial decline" in the number of people who thought that the role of Congress in foreign policy was too weak, and a slight increase in the number who thought that Congress was too strong.²⁸ There was also

²⁸Ibid., 7. The Council report did not include the statistics that support these conclusions.

increased support for covert action and for CIA operations that would "weaken or overthrow governments unfriendly to the United States."²⁹

Causes of the New Mood: the Events of 1985

This heightened sense of wariness about the Soviets and the reemerging sense of confidence and purpose combined to reach critical mass in the wake of several specific events in the first half of 1985. In January, a Marine private was convicted of attempting to spy for the Soviet Union. In February, an East German pled guilty to spying on the U.S. Navy. On March 24, Major Arthur D. Nicholson, Jr., serving with a liaison unit in Potsdam, East Germany, was killed by a Soviet soldier. On March 25, the Administration announced that electronic bugging devices were discovered inside typewriters in the American embassy in Moscow.³⁰ On April 28, just days after the House had voted against aid to the contras, Daniel Ortega, the president of the Nicaraguan government opposed by the contras, went to Moscow to sign a "cooperation pact," "sending Congress into a spasm of embarrassment and rage."³¹ On May 20, came the arrests of the so-called Walker family spy ring, involving a retired

²⁹Ibid. Here, too, the Council report omitted the data that led it to this conclusion.

³⁰Congressional Quarterly Almanac, 1985, 200.

³¹Rosenfeld, 706. Ortega's Moscow trip is often cited as the primary reason that Congress decided, in July, to send \$27 million in aid to the contras.

Navy communications specialist, his son and his brother-in-law who had been passing secrets to the Soviets. On June 14, terrorists hijacked a TWA flight in Athens and killed Robert Stetham, a Navy diver singled out because he was an American. On June 19, a guerilla attack in El Salvador killed thirteen persons, including four U.S. Marines and two American businessmen.

In Angola, the summer of 1985 saw the largest shipments ever of Soviet arms to the MPLA government. "American officials estimated the value of weapons sent between January 1984 and mid-1985 at approximately two billion dollars."³² In May of 1985, the Soviets and the Angolans signed a five-year economic cooperation agreement and "Soviet officials...notably increased the frequency of high-level exchanges with their MPLA counterparts."³³ This strengthening of Soviet-Angolan ties called into question the argument of those in Congress who said that the MPLA-led government of Angola was becoming increasingly western in orientation.

While none of these events are nearly as earthshaking as the Soviet invasion of Afghanistan, nor as traumatic as the Iranian hostage crisis, taken together and in convergence with the opinion trends described above, they

³²Richard Weitz, "The Reagan Doctrine Defeated Moscow in Angola," Orbis, Vol 36(Winter 1992):58.

³³Ibid.

created a sort of action-forcing atmosphere of crisis that was very friendly to congressional moves to strengthen the hand of the president in providing aid to friends.

Causes of the New Mood: The Rhetorical Leadership of the President

Another piece of the explanation for congressional receptivity to the idea of a more assertive anti-communist foreign policy was the clear emergence in 1985 of a "Reagan Doctrine" in support of democracies around the world. Reagan's rhetoric of democracy, and the policies that flowed from it were pushed hard by Reagan and his foreign policy experts in the first half of the year. But, according to Copson and Cronin, these ideas were not new to Reagan. The themes of American weakness, the threat posed by Soviet advances in the 1970s, and the moral superiority of democracy "figured prominently in the 1980 Reagan campaign speeches, the documents of the Reagan transition team and in the writings of the foreign-policy commentators who supported Reagan's election."³⁴ According to Garthoff, Reagan "believed--and stated frankly and publicly--that the Soviet leaders were 'the focus of evil in the modern world,'

³⁴Raymond W. Copson and Richard P. Cronin, "The 'Reagan Doctrine' and its prospects," Survival 29(Jan-Feb 1987):42.

and that 'the Soviet Union underlies all the unrest that is going on' in the world."³⁵

The 1983 invasion of Grenada and Reagan's consistent support for the Nicaraguan contras are often cited as the first manifestations of the Reagan Doctrine. But the doctrine qua doctrine was not explicitly articulated until the first State of the Union speech of Reagan's second term, in January of 1985. In that speech Reagan declared:

Freedom is not the sole prerogative of a chosen few; it is the universal right of all God's children...Our mission is to nourish and defend freedom and democracy...And we must not break faith with those who are risking their lives--on every continent, from Afghanistan to Nicaragua--to defy Soviet-supported aggression and secure rights that have been ours from birth.³⁶

On February 16, ten days after this speech, Reagan spoke on the radio about the valiant struggles of the "freedom fighters" in Afghanistan, Ethiopia, Cambodia and Angola.³⁷ On February 22, Secretary of State Shultz gave a speech affirming the "moral responsibility" of the United States to be the leader of the Free World and to support

³⁵Raymond Garthoff, Detente and Confrontation (Washington, D.C.: Brookings Institution, 1985):1010. Dallin and Lapidus also note that "candidate Reagan's speeches [were]...more blunt in their hostility toward the Soviet Union...than those of any other major candidate of recent vintage," in Kenneth A. Oye, et al., Eagle Defiant: United States Foreign Policy in the 1980s (Boston: Little, Brown, 1983):200.

³⁶"State of the Union Address," February 6, 1985, Department of State Bulletin, 85(#2097, April 1985):9.

³⁷Weekly Compilation of Presidential Documents, 21(February 25, 1985):186

"people who have made their own decision to stand and fight rather than see their cultures and freedoms quietly erased."³⁸

According to Copson and Cronin, Reagan felt particularly free in early 1985 to express his foreign policy preferences in the strongest possible terms. His landslide re-election, pressure from his supporters on the right (who alleged that, in its first term, the Administration had been "diffident and inconsistent" in its support for the freedom fighters), the addition of Patrick Buchanan to the White House staff, and the growing influence of such private organizations as retired General John Singlaub's United States Council for World Freedom all contributed to Reagan's refocused efforts on resisting communism.³⁹ Chester Crocker, Reagan's Assistant Secretary of State for African Affairs, observed that

in the second Reagan term, in the early months, there was a special atmosphere....many of [Reagan's] advisers and his constituency on the Hill became more overt about...a Reagan doctrine...we were going to systematically go into areas of regional conflict where the Soviets were engaged and assert our interests...there was a head of steam that had built up...a sense of bullishness...⁴⁰

³⁸Cited in William R. Bode, "The Reagan Doctrine," Strategic Review (Winter 1986):22

³⁹Copson and Cronin, 43.

⁴⁰Chester Crocker, personal interview, Georgetown University, July 17, 1989.

This sense of bullishness conveyed by the president and his supporters certainly fortified the impact of public opinion, "passing events" and longer term global dynamics as the factors converged to shift the attitudinal context in Congress.

Phil Christenson, who worked on Senator Kassebaum's staff at the time of the repeal vote observed the shift: "Reagan's rhetoric of democracy had caught on [in Congress] by 1985, and there was a new aggressiveness in American foreign policy regarding pursuit of democracy around the world."⁴¹

Although this does not seem to be a case of Democrats trying to "be more Catholic than the Pope," there is evidence that members of both parties were eager, in 1985 in particular, to appear "anti-communist." According to one House staffer: "This was a year when everyone wanted to show their bona fides about anti-communism."⁴² Another staff member said,

Politically, no one is going to get any votes by saying that he voted for freedom in Angola, but he's sure to lose votes if his opponent says he voted against aid to the anti-communists. What's important about Savimbi is not what he's for, but that he's against the communists.⁴³

⁴¹Phil Christenson, personal interview, Agency for International Development, Rosslyn VA, June 19, 1989.

⁴²Personal interview, not for attribution, 1989.

⁴³Personal interview, not for attribution, August 9, 1989.

In its internal post mortem of the Clark repeal vote, the Arms Control and Foreign Policy Caucus staff concluded:

With no pressing reason to oppose the President, conservative Democrats and moderate Republicans were unwilling to open themselves up to being slammed as pro-Communists.⁴⁴

The extent to which the "rhetoric of democracy" was defining congressional action in 1985 is revealed in the comments of two observers of the repeal vote. Caleb Rossiter of the Arms Control and Foreign Policy Caucus, and a fervent supporter of the Clark Amendment, said that arguing for Clark "was a tough case to make in 1985...We're talking about a Marxist government (the MPLA) committing human rights abuse with the backing of Cuban troops...No one could have won that issue in that year."⁴⁵ Margaret Calhoun, who as Symms' legislative assistant, wrote the floor speech that proposed repeal of Clark, recalled an encounter with a member of Sen. Kennedy's staff in the cloakroom during Symms' speech. The aide was quickly ruffling through files on Angola to develop a statement for Kennedy in opposition to Symms. She asked Calhoun if there had ever been elections in MPLA-ruled Angola. When Calhoun replied in the negative, the Kennedy aide put her papers

⁴⁴Memo to Rep. Matt McHugh from Edie Wilkie and Caleb Rossiter, Arms Control and Foreign Policy Caucus, November 1986.

⁴⁵Caleb Rossiter, personal interview, Washington D.C., August 9, 1989.

down and said, "I think you're gonna win this one."⁴⁶ And win they did.

Evidence of Attitude Change in Congress: Aid to the
Kampuchean Resistance

An example of just how far things had shifted in Congress in 1985 can be found in the debates about providing aid to the anti-communist movement in Kampuchea (formerly Cambodia). In late 1978, Vietnam invaded and occupied Kampuchea. During the occupation, Vietnam faced resistance from three movements: the Communist Khmer Rouge under the leadership of Pol Pot, the Khmer People's National Liberation Front (KPNLF) led by Son Sann, and the Nationalist Army led by Prince Sihanouk. The latter two groups were considered by the West to be the democratic opposition and the preferred victors.

The Khmer Rouge had ruled Cambodia from the American withdrawal in 1975 through the Vietnamese invasion. This period was one of apocalyptic brutality for the Cambodian people, during which Pol Pot's forces killed between one and two million of their countrymen, "reeducated" hundreds of thousands more and depopulated the cities.

In 1985, Congressman Stephen Solarz (D-NY) proposed \$5 million in economic and military aid to be channeled through the Thai government to the democratic resistance in

⁴⁶Margaret Calhoun, Senior Africa Analyst, International Freedom Foundation, Washington, D.C., telephone interview, June 24, 1992.

Kampuchea. In subcommittee hearings, Solarz noted that his proposal "echoe[d] implicitly the opinion of a growing number of Americans that the United States should provide appropriate assistance to the non-Communist resistance movements."⁴⁷ In the same hearing, Solarz also noted the subcommittee's support for the Administration's proposal to send humanitarian assistance to "the Afghan people in their courageous struggle against Soviet occupation forces."⁴⁸

In an interesting twist, the Reagan administration's representative at these hearings, Assistant Secretary of State for East Asian and Pacific Affairs Paul Wolfowitz, expressed the State Department's opposition to Solarz's proposal because it would interfere with ongoing negotiations with Vietnam about withdrawal from Kampuchea. The Secretary also noted that in the judgment of the State Department, the noncommunist resistance was getting all the military assistance it needed from its neighbors.⁴⁹

To this Solarz replied,

I frankly find your arguments unpersuasive. I cannot for the life of me see how you [Wolfowitz] justify calling for additional assistance to the

⁴⁷Foreign Assistance Legislation for Fiscal Years 1986-87 (Part 5), Hearings and Markup before the House Foreign Affairs Committee, Subcommittee on Asian and Pacific Affairs, March 20, 1985:xxii.

⁴⁸Ibid., xxxi.

⁴⁹Ibid., 151. The controversy within the State Department about the Reagan Doctrine will be discussed later in this chapter.

Contras in Nicaragua, but doing nothing for the non-Communist resistance movement in Cambodia.⁵⁰

In response, Rep. Gerald Solomon (R-NY) replied:

I think that one reason that perhaps the covert aid to Nicaragua was less effective than it should have been is because it became noncovert, and maybe Mr. Wolfowitz is using the height of diplomacy in not revealing everything...⁵¹

Wolfowitz did indicate that the United States was keeping a very close eye on the situation and was encouraging other countries to provide arms to the non-communist resistance. He expressed skepticism about the reliability of the Congressional commitment to the Kampuchean resistance.

...[H]istorically we have had overt and covert programs that we have cut the ground out from under....I would rather have these people on a reliable sustainable long-term basis...[O]n a number of occasions I have been told by distinguished members of Congress, including distinguished members of this committee, that we are not to give military support to this group.⁵²

One of those members opposed to Solarz's proposal was Rep. Jim Leach, a liberal Republican, who, in his comments about Solarz's Cambodia proposal, sounded very much like a liberal Democrat talking about Vietnam. Among Leach's

⁵⁰Ibid., 152.

⁵¹Ibid., 153. In July of 1985, the Washington Post cited "informed sources" who said that the CIA had been providing millions of dollars a year since 1982 in non-military assistance to the non-communist resistance. Charles K. Babcock and Bob Woodward, "CIA Covertly Aiding Pro-West Cambodians," The Washington Post July 8, 1985, A1.

⁵²Hearings, 153.

concerns were that there was no clear regional consensus in Southeast Asia for "U.S. intervention of this nature;" that the American taxpayer is "[un]prepared to underwrite a new military venture in this region without a well-defined national interest carrying the broadest support of the Executive, Congress, and the American people.;" and that "Congress is better advised to restrain rather than feed the fires of executive discretion."⁵³

Despite the opposition of Leach and the State Department, the Solarz amendment was passed in the Asia subcommittee in March by a 6-3 vote, in the full Foreign Affairs committee in April by a 24-9 vote, and on the House floor, in July, as part of the same legislation that carried the Clark amendment repealer, by a 288-122 vote. By the time the Senate looked at the proposal in May, the administration had dropped its opposition and the senators approved the \$5 million by voice vote, without debate.⁵⁴

The Cambodian case demonstrates just how far Congress had moved from its "Vietnam syndrome" days. Most of the attitudes that had dominated the mid-1970s--fear of executive power, the sense that American involvement in foreign conflicts was wrong on its face, aversion to covert action, and support for detente--were no longer held by a

⁵³Hearings, 651-4.

⁵⁴"Vietnam Colors Congressional Debate Over Assistance to Cambodian Rebels," Congressional Quarterly Almanac 1985: 56-7.

majority of Congressmembers by the mid-1980s. For many, the lessons of Vietnam were replaced by the lessons of Afghanistan, detente was no longer realistic in a world in which the Soviets did not seem to be abiding by the rules of the game, the CIA had been brought under control by the establishment of congressional oversight, and the focus was on whether the president was "imperiled" rather than "imperial." Many members also realized that a window of opportunity might be opening as the Soviet Union, despite its appearance of global strength, was becoming overextended militarily, bogged down in Afghanistan and internal unstable with the transition from Brezhnev to Andropov to Chernenko and finally to Gorbachev.

The South African Complication

From 1975 through the early 1980s, supporters of the Clark Amendment used Unita's South African connection and the negotiations for Namibian independence as reasons for maintaining the ban on aid to Unita. In his speech in opposition to the 1981 Kassebaum proposal to repeal the Clark amendment, Senator Bill Bradley (D-NJ) said:

...[S]igns that the United States is prepared to give military assistance to Savimbi, in the eyes of Black Africans, are signs that the United States is prepared to support South Africa in its plans to squash independence for Namibia.....Giving Luanda [the seat of the MPLA government] reason to believe we plan to aid Savimbi and South Africa is the worst way to seek

to dislodge Soviet and Cuban influence in Angola.⁵⁵

Similarly, in his remarks during an Africa subcommittee hearing in March of 1981, Chairman Howard Wolpe of Michigan said that repeal of Clark would "have disastrous consequences for our relations with Angola and would be viewed throughout the African continent as further evidence of a new tilt toward South Africa."⁵⁶

As noted in Chapter 7, even Republicans were concerned about the South Africa connection in 1981. Senator Kassebaum, the sponsor of the repeal motion, worried publicly that American intentions might be misperceived, and that repeal might jeopardize Namibian negotiations.

By 1985, things had changed. In the short Senate debate about repealing Clark, neither Senators Kennedy nor Pell used the Namibia negotiations as a justification for maintaining the Clark Amendment. Whereas in 1981 many members had agreed with Kassebaum that the collapse of those negotiations would be imminent if Clark were repealed, by 1985 most members had lost faith in the negotiations process. According to one Senate aide, "by 1985, [Assistant Secretary of State for African Affairs] Crocker had made this promise [of a Namibian settlement] so many

⁵⁵Congressional Record--Senate, September 30, 1981, 22528.

⁵⁶Congressional Quarterly Weekly, April 4, 1981, 589.

times that he totally lost credibility with Congress."⁵⁷

Both Kennedy and Pell did use the Unita-South Africa connection as a reason for voting against repeal, but this was an argument that no longer seemed to carry much weight with members of Congress. In fact, it appeared that the two issues---the repeal of Clark, and American-South African relations--had become almost completely delinked by 1985.

Actions by South Africa that would have dramatically strengthened the cause of Clark supporters in 1981 seemed to make no difference in 1985. For example, in late May 1985, just days before the Senate voted to repeal Clark, South African soldiers were captured during an attempt to blow up an American-operated oil installation in the Cabinda province in northern Angola. The action provoked the condemnation of the United Nations Security Council and the recall to Washington of U.S. Ambassador Herman Nickel. It did not, however, significantly influence the debate about the repeal of Clark. This was not because South Africa did not matter to members of Congress in 1985; it did very much.

There was, in fact, intense and negative discussion in the halls of Congress about the evils of apartheid during the spring of 1985. In June, within weeks of the votes to repeal Clark, the House and Senate also approved the "Anti-Apartheid Act of 1985," imposing a number of economic

⁵⁷Off-the-record comment, Senate staffer, personal interview, June 19, 1989.

sanctions on South Africa, including a ban on new bank loans and computer sales to the government, a prohibition against the import of kruggerands, and a ban on all new investment by American companies in South Africa.⁵⁸ But, even though South Africa was the object of much vilification that summer, and was still supplying aid to Unita, Congress repealed the Clark amendment with little reference South African assistance to Unita. The focus of congressional concern this time was on Cuban assistance to the MPLA.

In fact, on the advice of his staff, Symms was able to weave Unita's relationship with South Africa and the attack on American installations into his argument for the repeal of Clark.⁵⁹ While Symms himself had some misgivings about defending the sabotage of American businesses, his staff assured him that the anti-communist theme would work if he talked about how, in this war of good against evil, the Clark Amendment had forced Savimbi into the arms of the South Africans, and that economic targets, even American-operated ones, were legitimate targets. In his floor speech, Symms said:

⁵⁸The House passed the bill on June 5, the Senate on July 11; The conference version was accepted by the House on August 1. Senate consideration was delayed until September 9 by the threat of a filibuster from Senators Helms and Wallop. Congressional action was precluded by President Reagan's signing of an executive order imposing a similar, but slightly less stringent set of sanctions. See Committee on Foreign Affairs, U.S. House of Representatives. Congress and Foreign Policy, 1985-87 (Washington, D.C.: USGPO 1988):18-23.

⁵⁹Calhoun interview.

Unita, by being denied assistance, has had to turn for arms to any nation willing to sell or give them. The economic lifeblood of the Marxist regime is the royalties from the Cabinda oilfields, which represent 90 percent of the government budget. Unita, grossly outnumbered by the Cuban and military troops, has chosen to threaten the economic war machine of the Communists.⁶⁰

Symms went on to compare the sabotage of the oil facilities with the scorched earth policy employed by the Union army against the South during the civil war, and concluded that such "desperate and extreme measures in the defense of liberty," although unpleasant, are justified.

Further on in the same speech, Symms made another point, that, given the atmosphere, may have struck a chord with some of his colleagues. After acknowledging that South Africa's racial policies were objectionable, Symms compared South Africa's military operations in southern Africa with America efforts to eliminate "Communist slavery" and "Soviet imperialism" from Central America. Symms challenged his colleagues to be consistent in their calls for democracy. If they were going to demand that South Africa eliminate apartheid, should they not also demand that other African countries eliminate communism?⁶¹

Several of those interviewed for this study agreed that a motivating factor for many members who voted for repeal was the desire to demonstrate consistent support for the

⁶⁰Congressional Record--Senate, June 10, 1985, S7837.

⁶¹Ibid., S7839.

democratic principle. This required that they vote for both South African sanctions and the repeal of the Clark Amendment. Margaret Calhoun, who worked with Sen. Symms in 1985 said that the "left was having a terrible time defending a situation in which Cuban soldiers were keeping an elitist government in power."⁶²

This dynamic is further evidence of the importance of the rhetoric of democracy in 1985. According to Caleb Rossiter of the Arms Control and Foreign Policy Caucus, "If you can persuade everyone that it is anti-South Africa to oppose aid to Savimbi, then you can win, but the Republicans were able to break that connection and cast the vote in terms of a pro-democracy vote."⁶³ Another House staffer said that there was a group of 60-80 Representatives who could go either way when voting on aid to anti-communists. While they tended to be "ideologically sort of anti-communist, if there's a good reason to vote against aid they would."⁶⁴ In 1985, opponents of repeal could not come up with a good reason. "We just couldn't dent the [anti-communist] feeling. It wasn't so much support for Savimbi

⁶²Phone interview, June 24, 1992.

⁶³Personal interview, August 9, 1989.

⁶⁴Not-for-attribution interview, House staffer, June 19, 1989.

as a freedom fighter, it was more the fear of being portrayed a pro-communist."⁶⁵

Christenson, Sen. Kassebaum's aide at the time of repeal, agreed:

Promotion of democracy had become more important under Reagan; there was more aggressiveness in American foreign policy in pursuit of this goal. Savimbi used the rhetoric, saying he wanted free elections in Angola, and fit it with the zeitgeist out there.....⁶⁶

In 1985 it was the rhetoric of democracy, not the Savimbi-South Africa connection, that was key in shaping many members' thinking about Angola. A vote for sanctions was a vote for democracy in South Africa; a vote against Clark was a vote, not for South Africa, but for democracy in Angola.

Summary

Overall, the climate of opinion on Capitol Hill and among the American people changed significantly between 1975 and 1985. The events of the decade had diminished the resonance of the warnings against "another Vietnam" and had strengthened the argument that the United States had become a "crippled giant." In 1975, the climate had been permissive of increasingly tight congressional restrictions on executive power, and of an increasingly isolationist foreign policy. In 1985, the mood permitted a more assertive president and a more activist foreign policy. In Sinclair's

⁶⁵Off-the-record interview, House Committee Staffer, August 9, 1989.

⁶⁶Christenson interview, June 19, 1989.

terms, by 1985, pro-change signals were very much in evidence.

As the data above show, shifts in popular and congressional perceptions had begun as early as 1978, when the public began to demonstrate a preference for increased defense spending and Congress increased that spending. Before policy on Angola could change, however, other factors needed to shift. Members of Congress who worked hard to retain Clark needed to stop working so hard, or to go away, and the shifts in perceptions described above needed to find voice among sufficient numbers of members--both old and new--to create a majority coalition in favor of repeal. Before discussing these two factors--the actions of particular individuals and the behavior of the membership collectively--I will analyze the ways in which the media, interest groups and the President acted to create and to bolster the opinion climate described above.

Other Elements of the Context: Media Attention

The number and tone of newspaper stories about Angola in 1975 played a clear supporting role in the enactment of the Clark Amendment. There were hundreds of stories about Angola in the major newspaper in 1975, many of them focusing on the American role there and the dangers of American involvement. (See Table 4.1 in Chapter 4.) As noted in Chapter 4, the timing and content of several important stories pushed congressional thinking towards support for

aid to Angolan rebels. There was, among the principals, some conjecture that some articles, particularly those by Seymour Hersh, may have been deliberately timed to have such influence.

By 1985, Angola was receiving much less coverage and the stories were much more regional in focus. In the first seven months of 1985, there were thirty-eight stories about Angola in the New York Times. Of these, only seven concerned the repeal of Clark. All of these were published after the repeal votes were cast; four were ex post facto analyses of the repeal votes, two were op-ed pieces arguing each side of the issue, and one was an analysis of the reaction of the government of Angola to the repeal.

The Times stories published before the repeal vote, if they had any influence, would have worked against the cause of repeal. Between April 16 and June 1, there were sixteen stories in the Times that focused on the South African attack on American-owned oil facilities in the Cabinda province in northern Angola. But, as noted above, because of the countervailing anti-communist tide of opinion, this event, though well-publicized and roundly criticized in the media, had little negative effect on either public or congressional perceptions of the merits of repealing Clark.

The Washington Post had only fifteen stories on Angola during the same period. As with the Times, most of the stories focused on Angolan relations with South Africa,

including and especially on the South African attack on the oil refinery.

News coverage in 1975 can be credited specifically with bringing the Angola aid issue to Sen. Tunney's attention in 1975, and with helping to draw for the public the comparisons between Angola and Vietnam. In 1985, the media was a little relevance to the outcome of the debate. The issue was put onto the congressional agenda by Sen. Symms and the policy changed because many other factors within and without of Congress encouraged that change.

Other Elements of the Context: Interest Group Activity

Observers of the actual repeal vote did not mention interest groups as a significant influence in the particular policy choice. But, while it may be true that there was not a lot of visible lobbying on the issue immediately preceding the vote, it would be very misleading to ignore the role of interests in this case. In fact, the two legislative sponsors of repeal--Symms in the Senate and Pepper in the House--had their attention drawn to the issue by interest groups. For Symms, the group in question was Unita; for Pepper, it was the Cuban-American National Foundation.

Both of these groups were new players in 1985 and both were supporters of repeal. Opponents of repeal were virtually invisible in 1985, having either turned their attention elsewhere or been caught offguard by the sudden re-emergence of the issue.

Unita

At the time of the repeal vote, Unita's presence in Washington was relatively low-key. There were occasional visits to the Capitol by Unita representatives, but no evidence of organized, persistent representation or a clear strategy for pressing Unita's demands. The only public record of any effort to influence the repeal vote was testimony by Figueirido Paulo, Spokesman for Unita, before the Senate Appropriations Committee Subcommittee on Foreign Assistance and Related Program on May 8, 1985.⁶⁷ The hearing was convened by Senator Robert Kasten (R-WI), to discuss what American policy should be regarding overt assistance to anti-communist resistance movements. In addition to Paulo, representatives from the Afghan and Cambodian resistance movements also testified. Both of the latter had prepared statements submitted to the record that were clearly written, well-organized and on official organization letterhead. Both statements outlined the nature of the regime they were resisting, the human costs of the war, and the extent to which U.S. assistance would help their cause. Each also had his congressional patron at the hearing, Rep. Steven Solarz for the Cambodians and Sen. Gordon Humphrey (R-NH) for the Afghanis.

⁶⁷United States Senate, Committee on Appropriations, Subcommittee on Foreign Assistance and Related Programs, U.S. Policy Toward Anti-Communist Insurgencies, S. Hrg. 99-315, May 8, 1985 (Washington: USGPO, 1985):90-92.

Both the Afghan and the Cambodian situations received much more attention from the two State Department officials present, and virtually all questions asked were about those two situations. And, Solarz, in his statement of support for aid to the Afghanis and the Cambodians, spoke out in opposition to aid to Unita (and the contras in Nicaragua).⁶⁸

Mr. Paulo, on the other hand, did not have a prepared statement, but instead spent most of his time justifying Unita's dealings with the South Africans. He did note that repeal of the Clark Amendment "would encourage those who are helping us to increase their help"--not a particularly useful comment given that proponents of repeal were arguing that repeal would reduce, not increase, Unita's involvement with South Africa (one of those "who are helping us"). When asked to summarize his statement, Paulo replied:

What we would like to see from the United States is to encourage free elections, to encourage to find a peaceable solution so that the war ends in Angola.⁶⁹

This demonstrates neither the style nor the tactics of an organization well-schooled in Washington interest group politics. This lack of sophistication, however, did not necessarily mean a lack of influence. Where the influence

⁶⁸Ibid., 11.

⁶⁹Ibid., 92.

occurred was not at this hearing, but in the office of Sen. Steven Symms.

According to Margaret Calhoun, who was Sen. Symms' legislative assistant in 1985, the idea for repeal was brought to Symms by a representative of Unita, who "came to his office and demonstrated how the State Department's approach to Angola would destroy Unita."⁷⁰ In the next chapter, Symms' concerns about Angola will be discussed fully. For now, suffice it to say that Unita's choice of Symms was not serendipitous. He had shown interest in Angola before, and had the correct ideological take on the situation there. So, while Unita was not particularly well-organized or active in mid-1985, it did choose its target well and saw its goal realized in the legislative process.

Unita's relative lack of skill in the ways of Washington was remedied shortly after the repeal of the Clark Amendment when the group hired the Washington-based consulting firm Black, Manafort, Stone and Kelly to provide public relations and lobbying services. For its \$600,000 annual retainer fee, Black, Manafort worked on a number of issues: improving Savimbi's reputation, organizing his January 1986 Washington trip, and working the firm's connections on Capitol Hill to build support for the upcoming (in early 1986) congressional votes on aid to Unita. There is some speculation that Unita was able to

⁷⁰Calhoun interview, June 22, 1992.

retain these services because CIA funds began flowing to the group as soon as the Clark Amendment was repealed.⁷¹

Adolfo Leyva of the Cuban American National Foundation claims that his group began providing significant financial assistance to Unita in late 1985, and that those funds may have been used to underwrite the consulting services as well. (See below.)⁷²

Black, Manafort's imprint, and the extent of their network in the Capitol and with the media, were clear during Savimbi's visit. He had meetings with President Reagan, Secretary of State Shultz, Secretary of Defense Weinberger, congressional leaders and the National Security Council.⁷³ Savimbi led seminars at the Carnegie Endowment for International Peace, Georgetown University's Center for Strategic and International Affairs, the Heritage Foundation, the American Conservative Union and the Council on Foreign Relations in New York.⁷⁴ And, he appeared on CBS' "60 Minutes", ABC's "Nightline," and PBS'

⁷¹Not-for-attribution interview, and Sen. Dick Clark, personal interview, July 17, 1989.

⁷²Adolfo Leyva, phone interview, December 14, 1993.

⁷³Terry Atlas, "Angola Rebel to Lobby Washington," Chicago Tribune, January 28, 1986, C6.

⁷⁴Ibid.; and David B. Ottaway and Patrick E. Tyler, "Angola Rebel Chief to Receive U.S. Praise, and Possibly Aid; Savimbi Arriving for Busy Two-Week Visit," Washington Post, January 26, 1986, A1.

"MacNeil/Lehrer NewsHour."⁷⁵ According to the Los Angeles Times, the trip, and subsequent efforts by Black, Manafort succeeded in "pushing a reluctant State Department away from attempts to negotiate with Angola's Marxist government and toward acceptance of covert U.S. military aid to [Savimbi's] guerrillas. [And Savimbi received] new commitments from GOP senators to make sure that the aid includes anti-aircraft missiles."⁷⁶

While Unita's lobbying activities became especially intense after the repeal vote, it is clear that Savimbi's representatives were beginning to work the halls of Congress before the vote. On the repeal vote, there is evidence of influence in only one case, Steven Symms, but that is, of course, the important case, as he was the Senate sponsor of the repeal amendment.

The Cuban-American National Foundation

The other new player in the interest group arena was the Cuban-American community, or as its members prefer, the Cuban exile community. The organizational representative of this community was, and still is, the Cuban American National Foundation (CANF), a 501-c-3 (i.e., non-profit) organization, whose main function is "education and

⁷⁵Ottaway and Tyler.

⁷⁶Doyle McManus and Sara Fritz, "The Reagan Doctrine: Funding Anti-communist rebels," Los Angeles Times, September 2, 1986, A1.

dissemination of information"⁷⁷ about issues of interest to the community. The political arm of this group, which can legally engage in lobbying, is the Cuban-American Foundation (CAF). The political action committee for the CAF in the Free Cuba PAC.

These organizations were founded in 1981, at the suggestion of President Reagan's National Security Adviser Richard Allen. During the 1980 campaign, Allen met with two Miami businessmen "to discuss building a Cuban-American lobby that could have influence in Washington."⁷⁸ The group's chairman is Jorge Mas Canosa, a owner of a multimillion-dollar Miami construction business and veteran of the Bay of Pigs invasion. Mas Canosa is variously described as a "virulent anti-Castro activist" (The Nation)⁷⁹, "the most powerful Cuban exile in America," (The Miami Herald)⁸⁰, "charismatic, combative and controversial," (The National Journal)⁸¹, and "the second

⁷⁷Adolfo Leyva, Director of the Endowment for Cuban-American Studies, Cuban-American National Foundation, phone interview, December 14, 1993.

⁷⁸Peter H. Stone, "Cuban Clout," National Journal, February 20, 1993 (from Nexis).

⁷⁹John Spicer Nichols, "Cuba: the Congress: the Power of the anti-Fidel Lobby," The Nation, Vol. 247 (October 24, 1988):389 (from Nexis).

⁸⁰Cited in *ibid*.

⁸¹Stone.

Jose Marti"(Rep. Dante Fascell)⁸². He is also "by very far the largest Hispanic contributor to political campaigns in the country"⁸³ and someone who allegedly fancies himself as free Cuba's first president.⁸⁴

CANF and its affiliates, although based in Miami, are considered to be effective and well-connected presences in Washington. According to The Nation,

[CANF's] extraordinary success in persuading Congress to underwrite a host of Castro-bashing activities is due in no small part to the lobby's lavish funding of the political campaigns of anti-Castro candidates, to slick propaganda, and to a willingness to brand its opponents as Communist sympathizers.⁸⁵

CANF has produced many monographs and pamphlets on foreign policy issues of concern to the Cuban-American community, some by such prominent authors as Susan Kaufman Purcell, Irving Horowitz and Jeane Kirkpatrick.⁸⁶ According to the National Journal,

Mas Canosa and a few other officers [of CANF] are active on Capitol Hill, jetting in from Miami sometimes as often as once a month. When he's in Miami, Mas Canosa is not shy about picking up the telephone and pressing his case directly with members.⁸⁷

⁸²Cited in Nichols.

⁸³Leyva interview.

⁸⁴Diana West, "The images of Jorge Mas Canosa," Washington Times, April 11, 1990, E1. (from Nexis)

⁸⁵Nichols.

⁸⁶Leyva interview.

⁸⁷Stone.

The Free Cuba PAC has distributed more than \$670,000 to members of Congress since its founding.⁸⁸ According to one foundation director, these campaign contributions have served their purpose: "Political contributions do talk. We have changed votes with political contributions."⁸⁹

Among the legislative successes that CANF/CAF/Free Cuba PAC take credit for are the establishment and growth of Radio Marti and TV Marti, the maintenance and even tightening of the American embargo against Cuba and, of course, the repeal of the Clark Amendment. Mas Canosa was also influential in the decision to oust Ernesto Betancourt, Director of Radio Marti from 1986 to 1990, when Betancourt resisted Mas Canosa's attempts to slant Radio Marti's broadcasts.⁹⁰ And, as recently as the early days of the Clinton administration, CANF was apparently successful in killing the nomination of Mario Baeza as Assistant Secretary of State for Inter-American Affairs on the grounds that Baeza was not from Florida and was too soft on Castro.⁹¹

With regard to Angola in particular, it is not an overstatement to say that CANF was largely responsible for the emergence of repeal on the congressional agenda.

⁸⁸Ibid.

⁸⁹Nichols.

⁹⁰Stone. In 1983, Mas Canosa was appointed by President Reagan to chair the Advisory Board for Cuba Broadcasting.

⁹¹Ibid.

According to Adolfo Leyva, Director of the Endowment for Cuban-American Studies (a subsidiary of CANF), "There's no question that the foundation had a lot to do with the decision."⁹² CANF realized that passage of repeal in the Senate would not be difficult but that "we needed a Democratic member of great prestige in order to pass legislation in the House."⁹³ Mas Canosa and two other CANF directors met with Representative Claude Pepper--"whose reputation was impeccable" and who was a "very, very close friend of the Cuban exile community."⁹⁴ According to the Washington Times, Mas Canosa

...was in Key West and had a hunch, and drove back to Miami to "see a man." Time, thought Mr. Mas, to repeal the Clark Amendment...The "man" was Claude Pepper. "We need your help to repeal the Clark Amendment." Mr. Mas says he told the veteran legislator that same afternoon. "He [Pepper] took the world, the plastic world he has on his desk, and told me, 'Show me where Angola is and 'splain me what it's all about,'"⁹⁵

In an unpublished history of CANF, the encounter is described this way:

[three directors] met with Congressman Pepper at his apartment to explain our position and ask the congressman for his help. On a detailed map of Angola, we drew the fronts of battle and depicted the organizations involved in each region of the conflict. We proceeded to explain how aid to the rebels could lead to the extrication of Cuban

⁹²Leyva interview.

⁹³Ibid.

⁹⁴Cited by Leyva from unpublished history of CANF.

⁹⁵West.

troops from that country. Seven days later Representative Pepper would succeed in his effort to pass legislation for repeal of the Clark Amendment in the House.⁹⁶

According to Leyva, Pepper and Mas Canosa spent those seven days talking with members and organizing support for the repeal.⁹⁷ Pepper's death in 1989 and the subsequent dispersal of his staff made interviews with his staffers, and verification of these anecdotes, impossible to arrange, despite several attempts.

Other Interests

Most observers of the repeal action agree that, except for the Cubans, interest group activity was minimal, in large measure because there was no time to mobilize. One staffer on a bicameral, bipartisan congressional caucus said that civil rights groups were focusing all their attention on South Africa, and "completely missed the boat on Angola."⁹⁸ Another House committee staffer said,

There was a normal expectation that people were not for this [repeal]...it had come up several times in the 1980s and there had never been a floor vote on it....We thought that this was an issue where blacks were concerned, where South Africa was involved, and that this guy Savimbi was a fraud, and that no one would support getting involved in military conflicts anywhere in Africa,

⁹⁶Leyva interview.

⁹⁷Claude Pepper's actions and motivations will be further analyzed in Chapter 11.

⁹⁸Not-for attribution interview. This analysis is supported by Margaret Calhoun, Senior Africa Analyst, International Freedom Foundation, phone interview, June 22, 1992.

so no one expected it to pass. The usual groups who would work on this did not mobilize.⁹⁹

Again, the element of surprise and a certain complacency on the part of Clark supporters gave the advantage to CANF and its allies.

The oil industry

As noted in earlier chapters, oil companies, and other business interests, had been supporting players in all of the legislative skirmishes over the Clark Amendment. Their position was to support the government in power, and thus to implicitly oppose attempts to destabilize that government. So in 1981, when the question of repeal first arose, representatives from Gulf Oil and other businesses testified to Congress that their relations with the Angolan government were cordial, and that repeal of Clark might disrupt those relations. (See Chapter 7.)

Four years later, when the question of repeal came up again, the business community had little to say on the question. Gulf Oil, the largest interest involved, had been taken over by Chevron in June 1985, the same month that the repeal vote was taken in the Senate. Chevron expected to maintain, and even expand Gulf's holdings in Angola, and to continue a good working relationship with the MPLA government.¹⁰⁰ When asked his reaction to the repeal of the

⁹⁹Off-the-record interview.

¹⁰⁰Platt's OILGRAM News, June 24, 1985.

Clark Amendment, Sidney Anderson, Vice President of Production for Chevron Overseas Petroleum, said, "We're not taking a position one way or another on the repeal of the Clark Amendment. Our policy most certainly is to remain completely apolitical."¹⁰¹

All the evidence indicates that this was indeed Chevron's policy and that no lobbied occurred prior to the Clark repeal vote. There are several possible explanations for this. First, on May 23, South African commandos had attempted to sabotage Chevron's (then Gulf) operations in the Cabindan enclave.¹⁰² Chevron may have feared that active lobbying against repeal might have stimulated more attacks. A committee staffer said that his conversations with Chevron officials led him to believe that "they thought they could preserve their economic interests by simply not lobbying."¹⁰³ A second explanation is that Chevron "had other more important issues to press with Congress" and did not want to expend its lobbying energy on the Clark Amendment.¹⁰⁴ Third, corporations may have shied away from active lobbying for fear of appearing pro-Communist to their

¹⁰¹Ibid., July 19, 1985.

¹⁰²Ibid., May 24, 1985.

¹⁰³Not-for-attribution interview.

¹⁰⁴Phil Christenson, Agency for International Development, phone interview, June 19, 1989.

shareholders.¹⁰⁵ And, finally, business may simply have been caught off guard in the same way that other opponents of repeal were in the summer of 1985.

Postscript

In late 1985 and throughout 1986, when proposals began to appear, from both Congressmen and the President, to provide either overt or covert aid to Unita¹⁰⁶, many of the interests that had been disengaged in June came alive. Transafrica, for example, sent a letter to all members of Congress outlining its reasons for opposing assistance to UNITA and urging members to reimpose a ban on covert aid. The letter was signed by thirty-five prominent Americans, most of them African-Americans. Among the signatories were: Mayor Marion S. Barry of Washington D.C., Harry Belafonte, Julian Bond, Manhattan Borough President David Dinkins, Jesse Jackson, Coretta Scott King, Eleanor Smeal, President of the National Organization for Women, Mayor Andrew Young of Atlanta and Mayor Coleman Young of Detroit.¹⁰⁷

Chevron, for its part, began making public statements of opposition to the idea of aid to Unita. In December of 1985, after President Reagan indicated his support for a covert aid program, Charles G. Wootton of Chevron said that such a program could provoke "violence that could adversely

¹⁰⁵Off-the-record interview.

¹⁰⁶See Chapter 12 for a summary of these developments.

¹⁰⁷Draft of letter from Transafrica, August 8, 1986.

affect American investments and commercial interests."¹⁰⁸ Wootton maintained that the company was not "taking a position here," but was "talking to people in Washington" about U.S. policy in Angola.¹⁰⁹ Part of this "conversation" was a set of "background notes" that pointed out that the company currently produced 170,000 barrels per day of premium quality oil, a majority of which was sent to the U.S. to comprise 8% of American oil imports. In the notes, Chevron said that

it fears that U.S. action against the Angola government may trigger reaction against U.S. personnel, property and commerce throughout sub-Saharan Black Africa...and that U.S. policy may be seen by such nations as Nigeria as support for the Republic of South Africa and could lead to retaliation against U.S. commercial ventures in those nations.¹¹⁰

Chevron's more vocal support of the MPLA regime stimulated a reaction by conservative groups and members of Congress. Throughout early 1986, there were a number of proposals offered in Congress that would have forced Chevron and other American corporations to stop operating in Angola. The Conservative Caucus, chaired by Howard Phillips, launched a "grass roots campaign" against Chevron that urged stockholders to take action, credit-card holders to cut up

¹⁰⁸Platt's OILGRAM News, December 2, 1985.

¹⁰⁹Ibid.

¹¹⁰Ibid.

their cards, and drivers to boycott Chevron and Gulf stations.¹¹¹

Throughout the period, the oil continued to flow, and relations between Chevron and the Angolan government remained cordial and productive. The moral of the story once again is that politics does sometimes make strange bedfellows, with, in this case, corporate interests lined up with liberal congressmembers and groups like Transafrica in opposition to conservatives and the Republican White House.

The role of interest groups in the drive to repeal the Clark Amendment was primarily, but importantly, one of agenda-setting. It was not until the next stage of the story, the move to provide aid the Unita, that affected interests were fully engaged.

Other Elements of the Context: The executive branch

In 1975 and 1976, when the Clark Amendment was enacted, President Ford could do little to stop it, in part because of his weakened institutional position, in part because of hostile majorities in Congress, and in part because the tone of the times was simply not with him. In 1981, President Reagan, suffering from none of Ford's disadvantages, still could not bring about the repeal of the Clark Amendment. Although the repeal proposal came from the Administration, a lack of executive leadership on, and commitment to, the issue is, in large measure, the explanation here. As soon as

¹¹¹Ibid., December 31, 1985

the Administration's proposal to repeal met with resistance, the Administration surrendered. The predominance of the economy as Reagan's "number one, number two and number three priorities," and the Administration's preference for quick passage of a foreign aid bill depleted any will to fight for repeal.

In 1985, however, the initiative came from Congress, albeit in an environment made friendly by the President's "rhetoric of democracy", and all the Administration had to do was stand by and let it happen. According to Phil Christenson, "The executive was pretty much out of the picture on this one. The repeal was Congress-generated. Congress is now the creative force in American foreign policy. The executive is stodgy and bureaucratic."¹¹² Margaret Calhoun said, "The White House wasn't particularly involved in this. Congress really started the Reagan Doctrine in Angola."¹¹³

There is some evidence, in fact, that the some parts of the Administration were less than enthusiastic about the prospects for repeal. As noted in Chapter 7, the State Department's Chester Crocker had been working since 1981 on a Namibian settlement that involved trading Cuban withdrawal from Angola for South African withdrawal from Namibia. The resumption of aid to Unita would certainly complicate these

¹¹²Christenson interview, June 19, 1989.

¹¹³Calhoun interview.

negotiations. Crocker said that when members asked him where he stood, he "warned them, 'Let's win this time, because it was going to do some diplomatic damage in Africa in any event...'"¹¹⁴

Calhoun recounted a meeting with Crocker about the possibility of repeal in which he was "not very forthcoming." She remained unsatisfied with his "evasive answers" and his persistence in wondering how repeal would work to resolve the problems in southern Africa.¹¹⁵ Two House staffers, one Republican and one Democratic, said that Crocker, whom they described as the Administration's "pre-eminent Africanist", did not want repeal, but especially did not want aid but that the intelligence community was pushing for aid.¹¹⁶

Phil Christenson said that "by 1985, there was substantial erosion of State Department influence on the Hill. The problem was stylistic as much as substantive. Crocker did not understand how to deal with politicians." With regard to Angola in particular, "after 1984, Crocker had lost influence in Congress because South African policy was a mess."¹¹⁷

¹¹⁴Crocker interview, July 17, 1989.

¹¹⁵Calhoun interview.

¹¹⁶Not-for-attribution interviews.

¹¹⁷Christenson interview.

Crocker's response to these remarks was to deny them. He said that the charges that he and Secretary of State George Shultz were against the repeal of Clark and subsequent plans to reinstate aid to Unita were "misleading." He and Shultz were, he claimed, opposed to overt aid.

There has to be a veil of ambiguity...you have to protect yourself...in part because of the countries through which you're going to provide it...there isn't any country who can stand up and say, "Yeah, we're working with Uncle Sam to destabilize a neighboring government..."¹¹⁸

The evidence seems to support the conclusion that the Administration was split about the wisdom of changing its policy towards Angola, with President Reagan, the Defense Department, the Central Intelligence Agency and the National Security Council supporting repeal of Clark and aid to Unita, and Secretary of State Shultz and the Africa desk at State opposing these plans for fear that they would "derail ongoing regional negotiations and hurt American interests in black Africa by appearing to ally the U.S. with South Africa."¹¹⁹

This scenario resulted in less than vigorous participation by the Administration in the brief debate about repeal. There is no evidence of direct Administration lobbying on the issue. The contribution the Administration

¹¹⁸Crocker interview.

¹¹⁹Facts on File, December 20, 1985.

did make, and this is a key difference from 1981, was to create an opinion environment that was very favorable to the cause of repeal. Repealing the Clark Amendment was perfectly consistent with the Reagan Doctrine. So, while the President did not speak to members directly on Angola, he spoke to them generally about the wisdom of helping freedom fighters. This theme shaped the debate about repeal and contributed significantly to its passage.

Conclusion

According to David Price, "environmental conditions provide common incentives and constraints for a diverse range of members."¹²⁰ On the issue of aid to anti-communist movements, environmental conditions--the perception of expanding Soviet influence, a renewed sense of American confidence and purpose, the president's "rhetoric of democracy", interest group activity--created a strong predisposition to repeal the Clark Amendment.

Why this year, 1985, and not some other year, say 1981, in the immediate aftermath of the Soviet invasion Afghanistan? Why not earlier in the 1980s, when Marxist movements were gaining strength throughout Central America, Africa and the Middle East? Why not earlier, in the late 1970s, when public support for increased defense spending

¹²⁰David E. Price, Policymaking in Congressional Committees (Tucson: University of Arizona Press, 1979):53.

and a more assertive foreign policy was at its peak? While many of the "common incentives and constraints" noted by Price were present in earlier years, it was not until 1985 that they were recognized by sufficient numbers of members to comprise a majority coalition in favor of repeal. By 1985, the primary supporters of Clark had left the scene or turned their attention elsewhere. By 1985, the pro-repeal interests groups became strong enough and active enough to locate champions in Congress and the pro-Clark interest groups were expending their energy on other issues.

Environmental change was not enough to bring about policy change, to build successive majorities, in the committees and on the floors of both chambers. New members, and old members with new perspectives, were needed, to both lead the fight for repeal, and to follow those leaders and give them their votes.

CHAPTER 9

ANALYSIS OF THE CLARK AMENDMENT REPEAL: INSTITUTIONAL
LEVEL EXPLANATIONS

Changes in the international environment and in American perceptions of that environment were dramatic between 1975 and 1985. But these environmental changes cannot be translated into policy change unless policy-makers are ready to change the policies. This readiness depends on two factors: first, that there be individual members willing to wage the legislative fight for change, and second, that the partisan and ideological balance of the institution be such that the fight will succeed. Chapter 10 will show how important supporters of Clark had left the scene by 1985, and important supporters of repeal had arrived. This chapter will describe how the balance of power and of policy preference had shifted, so that by 1985 there was sufficient plentiful rank-and-file support for the idea of repeal.

Changes in the Partisan and Ideological Composition of Congress

The 1974 election brought to Congress large numbers of Democrats, and padded their party's margins in both chambers. Those margins shrank with each subsequent election, until the dramatic election of 1980, when the Republicans gained 34 seats in the House, and 12 seats and control of the Senate. Although the 1982 mid-term election restored some Democratic strength in the House, the 1984 election brought the Republicans back to within ten seats of

their 1980 high.¹ In 1985, when the repeal votes were taken, Democrats outnumbered Republicans in the House by a 253-182 margin, but Republicans kept the Senate with a 53-47 edge.

Still, the preferences of the voters in 1984 were hard to decipher. Although they had given President Reagan 59% of the popular vote and 525 electoral votes (every state but Minnesota and the District of Columbia), Americans re-elected congressional Democrats who ran for re-election that year. In the Senate, only one Democratic incumbent lost (Huddleston of Kentucky), while two Republicans failed in their re-election bids (Percy of Illinois and Jepsen of Iowa). In the House, only thirteen Democratic and three Republican incumbents were defeated. According to

Congressional Quarterly Weekly:

The November 6, 1984 elections revealed considerable hesitation nationwide over an all-out endorsement of Republican policies as voters in district after district stopped short of backing GOP challengers who campaigned on their loyalty to Ronald Reagan.²

While it may be the case that voters purposefully select a President on one party and a Congress of another to maintain a healthy checks and balances mechanism, it is also possible that voters, if happy, simply vote for the status quo. And, in fact, 1984 brought not only a landslide re-

¹See Table 4.1 for a summary of these trends.

²Congressional Quarterly Almanac, 1984, 13-B.

election for Reagan, but also one of the highest incumbency return rates in contemporary times. According to Charles O. Jones:

When voters re-elect a president, they tend as well to support the existing partisan division in Congress...voters approve the government when they approve the president.³

This seemingly natural tendency to vote for the "devil that you know" has been fortified by the greater attentiveness of members to their constituencies. In 1974 (when voters voted for the devils they didn't know), large numbers of Democrats won historically Republican districts. Since then, these members have been forced to pay close attention to "home style" in order to retain seats that are not "naturally" theirs. A 1984 example is Lane Evans, a Democrat elected in 1982 to a traditionally Republican seat in the 17th District in Illinois. According to

Congressional Quarterly Almanac:

Evans...held on despite the conservative nature of his district. Since entering office, Evans had established a reputation for tireless constituent service. His work paid off handsomely in 1984, when he carried not only traditionally Democratic parts of the district, but also several heavily Republican rural counties.⁴

Even members from "safe" constituencies have scares. In 1982, House Republican Leader Bob Michel nearly lost his

³Charles O. Jones, "The Voters Say Yes: The 1984 Congressional Elections," in Ellis Sandoz and Cecil V. Crabb, Jr., ed., Election '84: Landslide without a Mandate (New York: New American Library, 1985):92.

⁴Congressional Quarterly Almanac 1984, 14-B.

seat because of national and hard times.⁵

While the 1984 election did not signal dramatic change in the partisan composition of Congress, members of Congress could not ignore the magnitude of Reagan's victory. There is some evidence that such dramatic electoral results will increase a president's support in Congress even among members of the opposite party. In their study of the Congresses of the mid-1960s, Brady and Sinclair found that the passage of landmark civil rights and social welfare legislation occurred in part because continuing members "interpreted the [1964 landslide] election as carrying a policy-change message from their constituents."⁶ The National Journal's analysis of members' 1985 voting behavior confirmed that at least some members were influenced by Reagan's victory:

Members' 1985 votes reflected Ronald Reagan's 1984 presidential vote rather closely; the better Reagan did in a state or district, the more conservative the voting behavior of the Senator or House Member was, even when compared with others in the same party.⁷

There is, however, considerable evidence of the thinness of this effect. Congressional Quarterly's 1985

⁵I am grateful to Professor John J. Pitney of Claremont McKenna College for his insights here.

⁶David Brady and Barbara Sinclair, "Building Majorities for Policy Changes in the House of Representatives," Journal of Politics 46(1984):1059.

⁷William Schneider, "A Year of Continuity," National Journal, May 17, 1986, p. 1162.

voting study carries the following three headlines: "Hill Backing for Reagan Continues to Decline," "Conservative Strength High but Infrequent," and "Partisanship in Congress up Sharply in 1985."⁸ Congressional Quarterly's data reveal that Reagan won 59.9% of the roll-call votes on which he took a position, down from 65.8% a year earlier, and way down from his first-year high of 82.4%.⁹ Table 9.1 shows the extent of partisanship in 1985. The average Democrat voted with his party 79% of the time, for the highest level of Democratic party unity in 26 years. In the Senate, Southern Democrats voted with the party 64% of the time, up 9 points from a year earlier, while Southern Democrats in the House voted with their party 71% of the time, up 10 points from 1984.¹⁰ So Reagan could not count on his landslide to overcome the obstacle of the Democratic majority in the House and a large minority in the Senate.

In fact, according to Hedrick Smith, not only could the President not rely on large numbers of Democrats to vote with him as they had done in 1981, but even the votes of his fellow Republicans could not be taken for granted in 1985.¹¹ While Republicans did demonstrate a high level of

⁸By Janet Hook, David Rapp and Steve Blakely, respectively, Congressional Quarterly Weekly, January 11, 1986, 68,75,86.

⁹Hook, 68.

¹⁰Blakely, 86.

¹¹Hedrick Smith, The Power Game (New York: Ballantine Books, 1988):477.

partisan voting in 1985, with the average Republican voting with his party 75% of time, Congressional Republicans split with their president on a number of key issues. According to Smith, in 1985, there was a weakening of the "vital White House connection with Republican congressional leaders."¹²

Senate Republican leaders as well as House Democratic leaders disagreed with the president on the deficit and taxes, on farm subsidies, protectionism, voting rights, the MX missile, and South Africa.¹³

So, the partisan balance does not explain the repeal of the Clark Amendment. While the Republicans still controlled the Senate in 1985, their margins were smaller than in 1981. And, there was less incentive for Democrats to join the Republicans to forge majority coalitions. The 1984 election proved that voters would not punish congressional Democrats for their partisan affiliation. As Smith notes, "192 House Democrats won re-election in congressional districts that Reagan had carried. In short, they had weathered Reagan's influence with the voters."¹⁴

Ideological Change

Why, then, did Democrats join forces with Republicans on the question of the repeal of the Clark amendment? Had the entire Congress shifted to the right, making such a vote easier for newer, more conservative Democrats? The election,

¹²Ibid.

¹³Ibid.

¹⁴Ibid., 478.

of 1974 had brought in dozens of liberal Democrats, making passage of Clark easier. The election of 1980 had produced dozens of conservative Democrats and Republicans, but still the repeal effort failed. Did the 1984 election bring in just enough conservative members to permit repeal? The answer is no.

The 1984 election disappointed conservatives.

According to Congressional Quarterly,

Republican strategists had estimated that 22-25 new members were required to reawaken the coalition of Republicans and conservative Democrats....Although several newly elected Democrats are expected to side generally with House conservatives, the net ideological shift may be less dramatic than the Republican pickups would indicate, since at least four defeated Democrats had voted consistently with the conservative coalition.¹⁵

An analysis of the National Security Index scores of outgoing and incoming members in 1974, 1980 and 1984 confirms that the outcome of the 1984 congressional elections was not a cause for conservative celebration. This analysis, summarized in Table 9.2, reveals a clear shift to the left on foreign policy in 1974, a clear swing to the right in 1980 and a mixed picture in 1984. In 1974, the average NSI score for outgoing Senators was 64; for incoming members it was 46.¹⁶ (The higher the score, the

¹⁵"GOP Disappointed with Gains in the House," Congressional Quarterly Almanac 1984, 13-b.

¹⁶These data were compiled by the author, with the assistance of Theo Angelis, a Claremont McKenna College Mayr Fellow.

more conservative is the foreign policy behavior of the member.) In the House, outgoing members with an average score of 75 were replaced by the so-called Watergate babies with their score of 43. In 1980, the shift was dramatic: the composite Senate score rose from 38 to 85, while the House score rose from 49 to 77. In 1984, on the other hand, the Senate score dropped from 59 to 35 with the election of such liberals as Paul Simon of Illinois, Tom Harkin of Iowa and John Kerry of Massachusetts. In the House, the score rose from 54 to 72. Again, the 1980 election produced a much more defined rightward shift, especially in the Senate, presumably creating an environment more conducive to the repeal of Clark than did the mixed results of 1984. Yet the repeal occurred in 1985, not 1981.

So, again, why did the shift to the right on the Clark Amendment not occur until in 1985? First, as the following analysis shows, the "turnover effect"--the replacement of old members with new members--did bring enough opponents of Clark to the Senate in 1980 to repeal. But, in the House, that turnover effect was more gradual. Slowly, but surely, in 1980, 1982, and 1984, members who had voted for the Clark Amendment were defeated or retired. Many of these members were replaced by Representatives who were more likely to,

Table 9.1Party Unity, 1976-1985*

Year	Democrats	Republicans
1985	79%	75%
1984	74%	72%
1983	76%	74%
1982	72%	71%
1981	69%	76%
1980	68%	70%
1979	69%	72%
1978	64%	67%
1977	67%	70%
1976	65%	66%

*Percentage of time that the average Democrat and the average Republican members voted with their party on partisan votes.

Source: Congressional Quarterly Weekly, January 11, 1986, 88.

Table 9.2

Turnover Effect: Average NSI scores outgoing members and
their replacements: 1974, 1980, 1984

Year	Senate			House		
	Outgoing	New	Chg.	Outgoing	New	Chg.
1974	64	46	-18	75	43	-32
1980	38	85	+47	49	77	+28
1984	59	35	-24	54	72	+18

Source: Data were compiled by the author, with the assistance of Theo Angelis, a Claremont McKenna College Mayr Fellow.

and eventually did, vote for repeal. Second, there was a "conversion effect," as a sizeable bloc of senior House members, and several Senators, switched their vote on the Clark amendment.

The Turnover Effect in the Senate

An analysis of voting patterns on Angola reveals that the 1980 election brought in many members who supported repeal, but the two subsequent elections were necessary before a majority coalition in support of repeal could be constructed in the House. What follows is an analysis of voting on Angola by outgoing and incoming legislators.¹⁷ The pattern is clear: over the three elections, more of the newcomers supported repeal and more of the leavers supported the Clark Amendment.

Most of the outgoing Senators in 1980 had backed the Clark Amendment; most of those who replaced them backed repeal. Of the outgoing Senators, nine had voted for the Clark Amendment and three had voted against. Of the new class, fourteen would vote to repeal in 1981, and only three (Dodd, Dixon and Specter) would vote against. Clearly, the 1980 turnover of members in the Senate increased the likelihood of the repeal of Clark in 1981, and as discussed in Chapter 7, there was a successful repeal vote in the

¹⁷For outgoing members, the most recent vote on Angola is used as an indicator of their position for or against the Clark Amendment. For incoming members, their vote on the 1985 repeal motion is used as an indicator.

Senate in September of that year.

Was this effect strengthened in the 1982 and 1984 elections? In the Senate, the 1982 election brought the retirement of one opponent of the Clark Amendment; the other four leavers did not vote on Clark. Of the five newcomers, three (Wilson (R-CA), Hecht (R-NV) and Tribble (R-VA)) would vote for repeal in 1985 and two (Lautenberg (D-NJ) and Bingaman (D-NM)) would vote against. The 1984 Senate election produced a turnover effect that would have cheered the supporters of the Clark Amendment. Of the seven outgoing Senators in 1984, five had voted for repeal in 1981 and two had voted against. These men were replaced by five who voted against repeal in 1985, and two who voted for. While the 1980 election brought to the Senate more than a dozen members who would help the cause of repeal, the two subsequent elections produced results that worked against that cause.

The Turnover Effect in the House

While the pro-repeal forces lost momentum in the 1982 and 1984 Senate elections, they gained strength in the House in 1980, 1982 and 1984. In 1980, 44 supporters of the Clark Amendment, and 14 opponents, left the House. They were replaced by incoming members who would demonstrate the opposite preference in 1985, when 45 members who would express their opposition to Clark in 1985 and 14 who would express support. The 1982 election further depleted the ranks of

Table 9.3Turnover Effect: Support for Repeal of the Clark Amendment
Among Outgoing Members and their Replacements

Year	House			Senate		
	Outgoing	New	Change	Outgoing	New	Change
<u>1980</u>						
For repeal	14	45	+31	3	14	+11
Ag. repeal	44	14	-30	9	3	-6
<u>1982</u>						
For	8	36	+28	1	3	+2
Against	23	38	+15	0	2	+2
<u>1984</u>						
For	7	31	+24	5	2	-3
Against	15	10	-5	2	5	+3
<u>Cumulative, 1980-1984</u>						
For	29	112	+83	9	19	+10
Against	82	62	-20	11	10	-1

Source: Data were compiled by the author from roll call votes on Angola.

Clark supporters, but they were replaced by like-minded people.¹⁸ Nineteen-eighty-four resembled 1980 in that many members (31) who supported repeal were elected, and a sizable number who opposed (15) repeal retired or were defeated.

Summary of the Turnover Effect

Together, the 1980, 1982 and 1984 elections brought into the House of Representatives 112 votes against Clark and 62 votes for. Those three elections resulted in the departure of 29 votes against Clark and 82 votes for. So the forces for repeal had a net gain of 83 members, while the opponents of repeal had a net loss of 20 votes. The turnover effect in the House benefited the cause of repeal significantly.

In the Senate, the three elections brought in 20 repeal proponents and 10 opponents. Eighteen repeal proponents and 11 opponents left the scene. So the upper chamber experienced a net gain of two pro-repealers and a net loss of one anti-repealer.

If Clausen is correct that "the main impetus for change in the overall policy posture [of Congress] comes in the new membership,"¹⁹ then one might expect congressional policy

¹⁸In 1982, 23 members who had voted for Clark left the House, along with eight members who voted against. The incoming class contained 36 members who voted for repeal in 1985 and 38 who voted against.

¹⁹Aage Clausen, How Congressmen Decide (New York: St. Martin's Press, 1973):231.

on Angola to change after 1984.

Conversion Effect: The Importance of the Switchers

For Clausen, "the only way of altering the policy output of Congress would be to blast some congressmen out of office" because sitting members rarely change their positions on policy issues: they "tend to anchor their policy positions in granite."²⁰ Clausen thus dismisses the possibility that policy change stems from the conversion of "yea" votes into "nay" votes. In his analysis of roll call votes in the House and Senate between 1953 and 1970, Clausen finds a "high degree of constancy" and a level of "stability that is just short of unbelievable."²¹

Much of the research on individual member decision-making supports Clausen's finding. Kingdon, for example, found that a member comes into Congress with "fairly well-formed attitudes on major directions in public policy," and he "selects from...the environment those sources and those bits of information which reinforce his original disposition."²² According to Kingdon,

in view of all the tendencies toward reinforcement, change is rather difficult to accomplish and infrequent in occurrence...but does occur, either through sustained movement of uncontrollable events or of contrived pressure, repeated forcefully over a long period of

²⁰Ibid., 56.

²¹Ibid., 84-85.

²²John Kingdon, Congressmen's Voting Decisions, 3rd ed. (Ann Arbor: University of Michigan Press, 1989):269-270.

time....or through a shift in membership.²³

Asher and Weisberg agree with Kingdon that members will change their "original disposition" only occasionally and only under certain conditions: a change in the policy debate surrounding an issue, an alteration in the external forces impinging on the legislator (for example, a change in the party controlling the White House), or a change in the specific environment of an individual legislator (e.g., the redrawing of district lines).²⁴ But, they conclude that the "policy decisions of the United States Congress exhibit substantial continuity over time."²⁵

The Angola votes of 1985 call into question these conclusions about opinion stability in Congress. While the Angola votes of many members were in fact stable over time, a substantial number did change their positions on Angola between 1975 and 1985. In the House, 135 members were present for both the 1975 and 1985 votes on the Clark Amendment. Of these, 17 remained consistent in their opposition to Clark, 74 remained consistent in their support of Clark, and 44 converted from support to opposition. An indication of the clear direction of opinion change on this issue is that no members converted the other way--from

²³Ibid., 272.

²⁴Herbert B. Asher and Herbert F. Weisberg, "Voting Change in Congress: Some Dynamic Perspectives on an Evolutionary Process," American Journal of Political Science 22(May 1978):392.

²⁵Ibid., 391.

opposition to support.

Of the 44 who switched their vote, 25 were Republicans, 15 were southern Democrats and 4 were Northern Democrats (See Table 9.4 for the names and National Journal foreign policy ratings of the switchers.) The National Journal ratings of fifteen of the switchers is zero, which, according to the Journal, means that the "member is more liberal than 0% of the House."²⁶ For these members, the 1975 vote for the Clark Amendment was probably an aberration was probably an aberration, and the 1985 vote for repeal more consistent with these members voting history and ideology.

Twenty-three of the switchers had a National Journal score of 35 or above, indicating that they were more liberal on foreign policy than at least one-third of their colleagues. Only three of these scored above 60, indicating that most of the group was moderate on foreign policy votes. It is not surprising that the majority of switchers were from the center of the political spectrum. Both psychological analyses of opinion change and the strategies of those who seek to influence Congress indicate that this

²⁶William Schneider, "A Year of Continuity," National Journal, May 17, 1986, p. 1164. The National Journal ratings are based on an analysis of members' roll call votes each year. Adjustments are made for pork barrel votes and outliers. Members are rank ordered in three categories: economic, social and foreign policy. For methodology, see *ibid.* Methodologically, these rankings are more sound than the National Security Index, but National Journal did not begin compiling them until 1981. Where comparative data were needed for this study, the NSI data were used.

is the group most likely to shift positions.

According to Hennessy, opinions that are least likely to change are those that: are held intensely, are based on knowledge, facts, reason and common sense, are important to the holder's personality, have been expressed publicly, or are known by other persons who are important to the opinion holder.²⁷ Most of the switchers do not fall into these categories. None spoke for Clark in 1975, nor were any quoted in the many articles written about the Clark Amendment at the time. While each did take something of public stand on the amendment when he cast his roll call vote in 1975, these votes were probably not particularly visible to "persons who are important to the opinion holder." Thus, according to cognitive theory, these moderate members were good candidates for opinion change, and change they did.

To this group of senior members who were present in both 1975 and 1985, add four or five dozen members elected since 1975 who are moderate in their approach to foreign policy questions and there is a substantial swing voting bloc. Most of these legislators are southern Democrats; the second largest category are northeastern liberal Republicans.

²⁷Hennessy, 331.

TABLE 9.4

THE CONVERSION EFFECT: SWITCHED VOTES ON THE CLARK AMENDMENT**HOUSE MEMBERS WHO VOTED FOR THE CLARK AMENDMENT AND FOR REPEAL**

<u>Democrats</u>	<u>NJFP Score*</u>	<u>Republicans</u>	<u>NJFP Score*</u>
Anderson (D-CA)	53	Archer (R-TX)	0
Bevill (D-AL)	24	Broomfield (R-MI)	0
Boggs (D-LA)	64	Broyhill (R-NC)	0
Breaux (D-LA)	24	Carney (R-NY)	0
Byron (D-MD)	40	Coughlin (R-PA)	53
English (D-OK)	0	Crane (R-IL)	0
Fascell (D-FL)	51	Fish (R-NY)	51
Fuqua (D-FL)	37	Frenzel (R-MN)	45
Hamilton (D-IN)	64	Goodling (R-PA)	49
Hubbard (D-KY)	24	Hammerschmidt (R-AR)	0
Jones (D-OK)	52	Holt (R-MD)	0
Lloyd (D-TN)	37	Lagomarsino (R-CA)	0
Long (D-LA)	52	Lott (R-MS)	0
Mollohan (D-NV)	42	Madigan (R-IL)	37
Natcher (D-KY)	61	McDade (R-PA)	37
Pepper (D-FL)	50	Miller (R-OH)	0
Pickle (D-TX)	51	Moore (R-LA)	24
Sharp (D-IN)	63	O'Brien (R-IL)	0
Whitten (D-MS)	55	Regula (R-OH)	42
		Shuster (R-PA)	0
		Smith (R-NE)	44
		Snyder (R-KY)	0
		Wylie (R-OH)	24
		Young (R-AK)	24
		Young (R-FL)	0

SENATE MEMBERS WHO VOTED FOR THE CLARK AMENDMENT AND FOR REPEAL

Byrd (D-WV)	43	Garn (R-VT)	0
Ford (D-KY)	64	Helms (R-NC)	12
		Stevens (R-AK)	22
		Roth (R-DE)	34

* The National Journal Foreign Policy score grades members on a liberal-conservative continuum. A low score indicates a conservative foreign policy stance. National Journal suggests that the statistic can be read as follows: "Member is more liberal than __% of the House/Senate."

Source: National Journal, May 17, 1986, pp. 1176 - 1191.

The existence and importance of this bloc was emphasized by several staffers who witnessed the repeal process. According to Caleb Rossiter of the Arms Control and Foreign Policy Caucus, there was a group of forty or fifty members, many of whom were Southern Democrats, who could have gone either way on the repeal vote. For Rossiter, two factors pushed the swing group onto the side of repeal. First, changes in the international environment led to the redefinition of Angola aid--from assistance to a group aligned with South Africa to assistance to freedom fighters who were battling the spread of communism. The disconnecting of the repeal question from the South Africa question made aid to Unita a much more palatable issue for many members. Second, the most prominent and vocal cue-givers on the issue were now on the side of repeal. Some of these cue-givers were in positions that allowed them to sway a significant number of votes. (See Chapter 10 for details.)²⁸

A second House staffer agreed with Rossiter's analysis. He said that there is a group of

60, 70, 80 people...these guys are on our swing lists all the time...who are ideologically sort of anti-communist but at the same time, if there's peace, will go the other way...if there's real good reason not to vote the military aid, they won't...they don't know much about the Angola issue, but they're looking for cues and they're also thinking back to their districts...."²⁹

Staff observations about the 1986 effort to reimpose a ban on aid to Unita reveal the importance of this swing group.

²⁸Rossiter interview.

²⁹Off-the-record interview.

Having regrouped after the surprise of the 1985 repeal, opponents of aid to Unita targeted this swing bloc as the key to the reimposition of a ban on aid. Several staffers mentioned the same legislators time and again as people they needed to "have" in order to bring the swing votes over. For example, one House committee staffer said,

The big guy we try to use for these...and we get a few votes with him...is Buddy Roemer [D-LA].³⁰

Roemer, who was elected in 1980, had voted for the repeal of Clark in 1985, but was persuaded by Howard Wolpe (D-MI), Chair of the House Africa Affairs Subcommittee, to vote for reimposition of an aid ban in September of 1986. (The proposal was defeated.) The staff worked hard to recruit Roemer because according to one staffer, "We needed a southerner to carry the ball, and it was Buddy."³¹ The staff believed that Roemer could "crack the South."³² So Wolpe

talked to him, persuaded him about Angola, and he agreed to become the outreach, he agreed to become active...He reached these moderates...he was meeting many of them and individually trying to persuade them that it was a mistake to have this [Angola aid] as a covert program...We hoped that he would be able to reach out as a prominent Southerner...³³

Roemer's appeals failed in 1986. One analysis holds that most of the Southerners "had too much of the anti-communist

³⁰Off-the-record interview.

³¹Off-the-record interview.

³²Ibid.

³³Ibid.

feeling, and too much Cuban pressure."³⁴ Another concluded that "Roemer didn't whip heavily on this..he didn't make it a major thing, a point of pride."³⁵

Another staffer noted the importance of the Georgia delegation in influencing the swing bloc.

You've got to crack the Georgia delegation...Once you lose Georgia, which is seen as a liberal group by the Southern Democrats, then you're in real trouble. Georgia is what people in Mississippi, Alabama and Texas look to. If we could have gotten Hatcher and Darden [both Georgia Democrats] and that crew...but we couldn't crack them...³⁶

Although these comments pertain to a 1986 vote, they would apply to any foreign policy vote of a similar nature to the Angola question. There is a sizable group in the House whose members could go either way on such votes.

Interest groups and others who try to influence member voting behavior, such as party whips and executive branch lobbyists, have long employed a strategy of targeting such members. Lobbyists are guided implicitly by the psychological categories that indicate what kinds of people are susceptible to persuasion, and through analysis of members' voting behavior and discussion with staff, they decide which legislators to are likely to be persuadable. Party whips and others who organize supportive coalitions in preparation for floor votes employ a similar analysis and develop "swing lists" that array members

³⁴Ibid.

³⁵Rossiter interview.

³⁶Rossiter interview.

along a scale of 1 to 5 with "ones" as sure votes for an issue, "fives" as sure votes against, and "twos" and "threes" as the targets of persuasion. An example of a swing list appears in Appendix 3. This list is for a failed 1986 attempt to reinstate a version of the Clark Amendment discussed above. The 2, 3, and 4 categories contain the names of many of the 1985 moderate switchers--an indication of the continued flexibility of these members on this issue, and of their importance as a swing group.

So, while congressional opinion in general is stable, some members do change their positions on some issues. In this case, the number of switchers was significant; had the forty-four members who switched their position between 1975 and 1985 not changed their minds, and other votes had remained the same, the outcome would not have been 236-185 in favor of overturning Clark, but rather 229-192 in favor of retaining Clark.

The Overall Impact of Partisan and Ideological Change

The partisan balance is not an adequate predictor of votes on the Clark Amendment. In 1981 the Republicans had stronger numbers than in 1985, yet they could not even bring the Clark Amendment to a vote in that year. In 1985, however, although party unity scores were up and presidential support scores were down, 60 Democratic Representatives and 17 Democratic Senators voted for repeal of the Clark Amendment. This Democratic support for repeal came in part because some of these members were a "different kind of Democrat"--either new members who were more conservative than their predecessors or senior members who were

inclined to sit on the fence on foreign policy questions. These members were particularly susceptible to both the new set of signals emanating from the issue environment and to the appeals of new set of issue activists within Congress. In 1985, this combination of changed membership and changed environment was enough bring about a policy change on Angola.

A Note on Procedural Considerations

In 1975, procedure played some small role in the passage of the Tunney amendment. As discussed in Chapter 3, Tunney's objection to a unanimous consent agreement opened up the bill in question for amendments and Tunney offered one. Tunney's choice of an essential defense appropriations bill as the vehicle for his amendment fended off both a filibuster and a veto. Tunney's timing--at the end of the session--encouraged quick resolution of the issue.

In 1981, procedure also played a small role in the defeat of the Kassebaum amendment. Jesse Helms, who had threatened to filibuster any bill that did not contain a Clark repeal, bargained away that threat in exchange for increased aid to Pakistan, according to one source, and the lifting of restrictions on aid to Chile according to another source.³⁷

In 1985, repeal advocates used procedure to their advantage. Everyone interviewed for this project, on both sides of the

³⁷Crocker interview, July 17, 1989 and Calhoun interview, June 24, 1992.

issue, agreed that the element of surprise was important. As Crocker said, "The worst case for the pro-Clark forces was a floor debate without preparatory homework...and they had not done their homework."³⁸

An opponent of repeal, who was present at both the 1981 and 1985 votes, said that in 1981, "we had hearings, we organized on this, we did a major campaign, we sent out literature, and we would have won [had it come to a floor vote in the House]."³⁹ But in 1985, "there was no time to organize. The other side did not have much organization but they had their conservative base and they had the advantage of these people getting up to speak."⁴⁰ Another opponent of repeal said, "The repeal happened so quickly that I don't know what in the world happened." He then went on to admit that when he saw that House repeal amendment was sponsored by Stratton and Dornan,

hardly anybody on our staff paid any attention to it...we were fighting, or actually shellshocked on the issue of Nicaragua [aid to the contras had just been reinstated]...and there was not a feeling that Dornan was a serious legislator that you should worry about...we thought that it was a frivolous event...⁴¹

It is likely that similar logic went through the minds of Senate

³⁸Crocker interview.

³⁹Off-the-record interview. The repeal proposal was withdrawn by the Senate before the opportunity for House debate arose.

⁴⁰Off-the-record interview. The particular speakers will be discussed in Chapter 11.

⁴¹Rossiter interview. The content of floor amendments, and the names of the sponsors, are generally available for study two days prior to their introduction from the floor so there is advance notice for potential opponents.

staffers, who saw Symms' name attached to the Senate repealer. Symms was not a member of the Foreign Relations Committee, and according to the Almanac of American Politics,

he is usually not a leader on issues, and when he is, his reputation for careless work and oddball ideas makes it difficult for him to win much support...There is something slapdash, almost whimsical, to Symms and his politics, a lack of gravity.⁴²

This reputation may explain why serious opposition to Symms' amendment did not arise in the Senate; his colleagues did not take his initiatives seriously. But, as Symms' staffer, Margaret Calhoun, said: "We caught them totally unprepared...they had no effective arguments against us...We blew them away."⁴³ And they did.

While this complacency and lack of foresight on the part of Clark supporters is striking, it is unlikely that foresight and a good legislative strategy could have saved the day for them. As we saw in Chapter 8, the mood on the Hill and among the public supported repeal. As noted above, the loudest voices in 1985, unlike in 1975 and 1981, were advocates of repeal. And as we saw in this chapter, conversion and turnover in the congressional rank and file provided a receptive audience for these loud voices.

⁴²Michael Barone and Grant Ujifusa, The Almanac of American Politics 1990, Washington, D.C.: National Journal, 1990):333

⁴³Calhoun interview.

CHAPTER 10

ANALYSIS OF THE REPEAL: INDIVIDUAL LEVEL EXPLANATIONS

Despite dramatic changes in the international environment in the late 1970s and early 1980s, congressional policy on Angola remained essentially the same at the start of 1985 as it had been in the immediate aftermath of the Vietnam War. The Clark Amendment remained despite increased confidence in American capabilities and growing concerns about Soviet intentions.

As with the rest of this story, the presence or absence of key members, or issue activists, is an important determinant of the course, and in particular the timing, of congressional action in 1985. In 1975, Senators Tunney and Clark brought the issue to the congressional agenda and, with the help of like-minded majorities in the House and Senate, translated the issue into policy. In 1981, even though environmental factors seemed to mandate a shift in Angola policy, change did not happen--in part because pro-Clark issue activists were still present and committed to maintenance of the aid ban. By 1985, however, the active advocates of the Clark Amendment were gone, and its opponents were organized and vocal.

As noted in Chapter 3, individual members can have an influence on congressional policy either through their institutional position as chamber, party, or committee leaders who control the flow of legislative business, or

through their own desire to become issue activists and shape policy.

The Role of Committee Chairs in the Repeal

In 1975 and 1976, the Chairmen of the House and Senate foreign policy committees did not play a particularly important role in the passage of the Clark and Tunney Amendments. (See Chapter 3.) But they did provide an environment that was friendly to the emergence of proposals like Clark's and Tunney's. These chairmen, who gained their positions after the decentralizing reforms of the mid-1970s, were willing to let junior members or non-committee members generate proposals. Majorities on both committees were moderate to liberal on foreign policy issues, and thus were inclined to support the Clark-Tunney approach. (See Tables 3.1 and 3.2.)

In 1985, the situation on the foreign policy committees was different in one respect--leadership--and similar in another--the House Foreign Affairs Committee was still very liberal. But the leadership skills of the House chair, Dante Fascell of Florida, combined with the changed issue environment, the partisan/ideological balance in the full chamber, and the quick emergence and resolution of the issue, prevented liberals on the HFAC from blocking the repeal of Clark.

Dante Fascell had two motivations when he managed the foreign aid authorization bill of 1985. The first was

district-related. Fascell represented the 19th District in Florida which encompassed the Coconut Grove section of Miami, plus Coral Gables and several suburban communities. In the mid-1980s, this district was about 20% Latino, most of whom were Cuban exiles. While Fascell was considered a liberal on such foreign policy questions as the Strategic Defense Initiative and President Reagan's Lebanon policy, and was one of the authors of the 1974 War Powers Act, he was an "aggressive anti-communist, vehement in his opposition to anyone who suggests that the U.S. move toward close relations with the Castro regime."¹ Although he had voted for the Clark Amendment in 1975 when the Cuban presence in his district was much less obvious, he was by 1985 a reliable vote for repeal.

Fascell's second motivation for ensuring passage of the foreign aid bill that carried the Pepper amendment was unrelated to the substance of Pepper's proposal. Both Fascell and his Senate counterpart, Republican Richard Lugar of Indiana wanted to pass a foreign aid bill. As noted in Chapter 7, partisan disagreements, especially over Central America, had prevented the enactment of such bills since the election of President Reagan. Instead, Congress had used continuing resolutions to provide funds, leaving specific allocation decisions in the hands of four-member "mini-conferences" composed of members of the Appropriations

¹Politics in America 1986, 355.

Committees.² According to a Congressional Research Service study, "this changed the process which permitted wide participation in foreign policy debates so that individual Members had the opportunity to influence emerging legislation."³

Fascell and Lugar were committed to regaining their committees' control of this process.

Chairmen Fascell and Lugar pledged to make passing an authorization bill a top priority and to compromise on personal objectives in order to improve its chances of passage.⁴

In the Senate, the committee worked with "extraordinary speed and harmony," with Lugar "determined to keep out of the bill controversial amendments that could spark administration opposition; he wielded a firm gavel and made effective use of his 9-8 Republican majority." (See Table 10.1 for committee membership.)⁵ For example, in order to avoid a Reagan veto, Lugar kept proposals for sanctions against South Africa out of this bill by promising sanction

²Gary J. Pagliano and Kerry Dumbaugh, "The 99th Congress and Foreign Assistance in an era of Budget Constraints," in U.S. Congress, House of Representative, Committee on Foreign Affairs, Congress and Foreign Policy, 1985-86, Committee Print (Washington, DC: USGPO, 1988):122.

³Ibid.

⁴Ibid., 124. As we will see, neither man had "personal objectives" that would interfere with the repeal vote, and in fact, Fascell had home district reasons for supporting the repeal.

⁵Congress and the Nation, Volume VII, 1985-1988 (Washington, D.C.: Congressional Quarterly Press, 1990):187.

proponents that they would be dealt with in separate legislation. (And they were.) Lugar was, however, a close friend of the President, and a believer in executive initiative in foreign policy matters, so his preference was certainly for the repeal of the Clark Amendment. He would have thought twice about any proposal to remove the repealer from the bill.

Fascell faced a more imposing obstacle in the House Foreign Affairs Committee. When Fascell took over the committee in 1983, it had become

a rather disorderly and quarrelsome collective of subcommittee fiefdoms, most of which were dominated by strongly liberal Democrats who were at least as interested in challenging the Reagan administration as working with it.⁶

Given both its partisan and ideological composition, the committee was likely to produce a bill that would be unacceptable to either the full House, the Republican-controlled Senate, or President Reagan. As Table 10.1 shows, the composition of the House Foreign Affairs Committee was not at all representative of the House as a whole. The NSI scores of the Democrats were very low, with 16 of the 25 members scoring zero. According to the National Journal:

The committee's large contingent of young liberal Democrats has given Foreign Affairs a somewhat unpredictable quality. On arms control, human rights and Central America, one or more of these liberals can be counted on to engage Reagan

⁶Politics in America 1986, 354.

Administration officials in a spirited, sometimes heated, debate.⁷

Given this membership, it is not surprising that HFAC version of the bill "bristled with policy initiatives."⁸

According to the Congressional Research Service:

The intent of committee members to reassert congressional initiatives in the policy arena was clearly evident.⁹

Among the most problematic committee proposals were a prohibition on U.S. combat troops in Nicaragua and El Salvador, a cut of \$152 million from the administration's funding request for Central America, and a ban on the sale of military aircraft to Jordan. The latter provision prompted a veto threat from the Administration.¹⁰

But, if anyone could bring the committee around to a position that was acceptable to the full House, the Senate and the President, Fascell could. He had the procedural skill and the personal will, to reshape the bill, should the need arise. According to the Almanac of American Politics, Fascell was regarded as

one of [the House's] most competent and sensitive legislative craftsmen--a man who can put together

⁷Christopher Madison, "Foreign Aid Bill Will Put Fascell's Old-School Legislative Skills to Test," National Journal, March 16, 1985, 575.

⁸Pagliano and Dumbaugh, 126.

⁹Ibid.

¹⁰Ibid.

a piece of legislation, explain it, and get it passed without any major change.¹¹

McCormick credits Fascell's effective leadership style with restoring the role of the committee chair in shaping legislation. Fascell was

a "legislative tactician" and a consummate "results-oriented politician...he enjoyed the confidence of the majority of his own party and was closer to them ideologically than were the more conservative Morgan and Zablocki. He also had the respect of the Republican minority on the committee...In short, Dante Fascell positioned himself in such a way that he was able to "manage" the committee more effectively than had his two predecessors.¹²

Faced with a veto threat and the existence of a Republican substitute bill, Fascell used these skills to persuade his committee colleagues to compromise. Fascell's style--"shrewd and combative...loud and tough"¹³-- and his preference for "bringing subcommittee chairmen together in private to thrash out disputes"¹⁴ allowed him to manage the bill in a way that satisfied all parties. Fascell was also noted for his ability to work with younger, more liberal committee members. Committee Chief of Staff John J. Brady,

¹¹Almanac of American Politics, 1984, 271.

¹²James M. McCormick, "Decision-Making in the Foreign Affairs And Foreign Relations Committees," in Randall B. Ripley and James M. Lindsay, Congress Resurgent (Ann Arbor: University of Michigan, 1993):139.

¹³Ibid.

¹⁴Ibid.

who had been working for the committee for 17 years when Fascell took over, observed:

Dante Fascell and Clem Zablocki were of the same generation, but Dante is better able to bridge the gap between the older and younger members. That's very important around here. He's more liberal than Zablocki was and he's much more gregarious and outgoing and more visible.¹⁵

On the foreign aid bill, Fascell's committee colleagues accepted his suggestion to cut the bill's authorization levels by 3.2% across-the board (to fend off a Republican proposal for 10% cuts), and they allowed more than sixty amendments from the floor "to make the bill more acceptable to the House as a whole," including the provision of \$27 million in humanitarian assistance to the Nicaraguan contras¹⁶, a strengthening in U.S. anti-terrorism programs, and

a series of amendments strengthening the bill's provisions for open assistance programs to a range of non-government, anti-Communist resistance forces battling governments backed by the Soviets or by Soviet clients.¹⁷

The repeal of the Clark Amendment was among these. According to the Congressional Quarterly Weekly,

¹⁵Madison, 575.

¹⁶The committee's commitment to banning such aid, expressed in its report of mid-April, had disappeared by the time of floor debate in July in the wake of Nicaraguan President Daniel Ortega's visit to Moscow in June.

¹⁷Ibid., 127.

TABLE 10.1

HOUSE FOREIGN AFFAIRS COMMITTEE, 99TH CONGRESS, 1985

<u>Democrats</u>	<u>NSI</u>	<u>Republicans</u>	<u>NSI</u>
Dante Fascell(FL)	40	William Broomfield (MI)	100
Lee Hamilton(IN)	30	Benjamin Gilman(NY)	90
Gus Yatron(PA)	20	Robert Lagomarsino(CA)	100
Stephen Solarz(NY)	0	Jim Leach(IA)	10
Don Bonker(WA)	0	Toby Roth(WI)	90
Gerry Studds(MA)	0	Olympia Snowe(ME)	60
Dan Mica(FL)	50	Henry Hyde(IL)	100
Michael Barnes(MD)	0	Gerald Solomon(NY)	100
Howard Wolpe(MI)	0	Doug Bereuter(NE)	80
George Crockett(MI)	0	Mark Siljander(MI)	100
Sam Gejdenson(CT)	0	Ed Zschau(CA)	78
Mervyn Dymally(CA)	0	Robert Dornan(CA)	100
Tom Lantos(CA)	10	Christopher Smith(NJ)	60
Peter Kostmayer(PA)	0	Connie Mack(FL)	10
Robert Torricelli(NJ)	0	Michael DeWine(OH)	100
Lawrence Smith(FL)	33	Dan Burton(IN)	100
Howard Berman(CA)	0	John McCain(AZ)	100
Harry Reid(NV)	20		
Mel Levine(CA)	0		
Edward Feighan(OH)	0		
Ted Weiss(NY)	0		
Gary Ackerman(NY)	0		
Buddy McKay(FL)	10		
Morris Udall(AZ)	11		
Robert Garcia(NY)	0		

Sources: Committee Membership is from Congressional Directory, 99th Congress (Washington, D.C.: USGPO, 1985); NSI scores are from The Almanac of American Politics, 1986.

TABLE 10.2

SENATE FOREIGN RELATIONS COMMITTEE, 99TH CONGRESS, 1985

<u>Republicans</u>	<u>NSI</u>	<u>Democrats</u>	<u>NSI</u>
Richard Lugar(IN)	100	Claiborne Pell(RI)	0
Jesse Helms(NC)	100	Joseph Biden(DE)	10
Charles Mathias(MD)	22	Paul Sarbanes(MD)	0
Nancy Kassebaum(KS)	70	Edward Zorinsky(NE)	80
Rudy Boschwitz(MN)	90	Alan Cranston(CA)	0
Larry Pressler(SD)	80	Christopher Dodd(CT)	20
Frank Murkowski(AK)	100	Thomas Eagleton(MO)	10
Paul Tribble(VA)	100	John Kerry(MA)	0
Daniel Evans(WA)	70		

Sources: See Table 10.1.

TABLE 10.3

HOUSE AFRICA SUBCOMMITTEE, 99TH CONGRESS, 1985

<u>Democrats</u>	<u>NSI</u>	<u>Republicans</u>	<u>NSI</u>
Howard Wolpe(MI)	0	Mark Siljander(MI)	100
George Crockett(MI)	0	Michael DeWine(OH)	100
Stephen Solarz(NY)	0	Dan Burton(IN)	100
Howard Berman(CA)	0	Robert Dornan(CA)	100
Ted Weiss(NY)	0		
Robert Garcia(NY)	0		

TABLE 10.4

SENATE AFRICAN AFFAIRS SUBCOMMITTEE, 99TH CONGRESS, 1985

<u>Republicans</u>	<u>NSI</u>	<u>Democrats</u>	<u>NSI</u>
Nancy Kassebaum(KS)	70	John Kerry(MA)	0
Jesse Helms(NC)	100	Paul Sarbanes(MD)	0
Charles Mathias(MD)	22	Claiborne Pell(RI)	0
Larry Pressler(SD)	80		

Sources: See Table 10.1.

The inclusion of [these amendments] gave conservatives, many of whom normally opposed foreign aid, a stake in the bill and signaled what both liberals and conservatives saw as a new mood in the House on foreign policy and defense issues.¹⁸

Fascell was able to combine liberal committee members' desire to have more influence over the policy process with conservative rank-and-filers' desire to push that policy in a certain direction, to craft a bill that met everyone's needs to such a degree that it passed in the House on July 11 on a "highly unusual voice vote."¹⁹ Observers of the vote said:

it startled nearly everyone in the chamber. House leaders expected that someone would demand a roll-call vote on the bill...After the voice vote...Democrats looked across the aisle at Republicans, and Republicans stared back at Democrats. "There was a momentary gasp on everybody's part" House Minority Whip Trent Lott (R-MS) said later.²⁰

While Fascell did not take a public position on repeal, he did support the measure. This, combined with his strong desire to pass the 1985 foreign aid authorization bill, put a firm ally on the side of the proponents of repeal. Opponents of repeal would have faced a formidable opponent in Fascell had they tried to take him on.

Subcommittees

¹⁸Congress and the Nation, 188.

¹⁹Congress and the Nation, 188.

²⁰1985 CQ Almanac, 51.

One might expect, in fact, that opposition to repeal would have emerged from the House Africa Subcommittee. Table 10.3 shows that the Democrats on the committee were as liberal as the Republicans were conservative. And most of the Democrats did speak against the amendment from the floor. But there were no hearings on repeal, and thus no opportunity for the subcommittee to express itself institutionally through a report to the full committee.

And, according to an internal staff memorandum, the issue advocates on the subcommittees did not do much more than make their floor speeches. In its ex post facto analysis of the repeal of Clark, the staff concluded that while support for repeal was "thin" and few members felt strongly about the issue, even fewer were persuaded to oppose repeal.

One important reason appears simply to be the lack of intensity of feeling among House leadership and even the most active aid opponents.²¹

Howard Wolpe, Chair of the subcommittee, was certainly a committed opponent of repeal, but simply did not have the lead-time, and some say the political skills, to organize the opposition effectively. According to Representative Pat Schroeder (D-CO), Wolpe is more of a "scholar than a politician" and tries to move his colleagues intellectually

²¹Internal memorandum, not for direct citation.

rather than through deal-making or log-rolling.²² An indication of Wolpe's principled, academic approach to the issue is revealed in the comments of a House Democratic committee staffer, who went to the floor when the amendment was proposed and

tried to persuade [Wolpe] to work on a compromise in which we would put some conditions on lifting the Clark Amendment, such as progress in Namibia. But he wanted just a straight up or down vote...²³

Wolpe tried to influence this vote with his floor remarks. He controlled the Democrats' floor time on the amendment debate, and spoke first. He began his statement this way:

I rise to express the strongest possible opposition to the proposed repeal of the Clark Amendment. Rather than strengthening American interests, the repeal...will directly undermine American interests in southern Africa and throughout the African continent.²⁴

Wolpe went on to argue that repeal would be evidence of America's "accommodation with the apartheid regime of South Africa;" that Jonas Savimbi was "a socialist, a Marxist more comfortable with the Chinese model than the Soviet model;" and that repeal would undermine any possibility of Cuban troop withdrawals from Angola.²⁵

²²Representative Pat Schroeder (D-CO), personal interview, Rutgers University, February 1989.

²³Off-the-record interview.

²⁴Congressional Record--House, July 10, 1985, H-5418.

²⁵Ibid.

These arguments, made successfully in 1981, simply did not hold water in 1985. As Chester Crocker said:

Don't their [supporters of Clark] arguments sound stale? How can anyone support the MPLA? The only argument that might have worked was to tar Unita with the South African brush, and even that didn't make a difference in 1985.²⁶

The House Africa subcommittee, which would have been the most logical source of opposition to repeal, was simply not an important player in this legislative drama.

The smaller size of the Senate means that subcommittees are generally less important actors than in the House. In this case, the larger inherent base of support for repeal underscored this dynamic. The Senate subcommittee, too, was an insignificant influence on the outcome. Senator Kassebaum, Chairwoman of the subcommittee, did make a floor statement in support of repeal. Her statement was a good deal more moderate than the others who spoke for repeal (Symms, Lugar, Armstrong and Denton), and may have helped persuade some moderate members who were wary of the rather harsh anti-communist tone of the other proponents.

In her remarks, Kassebaum argued that the Senate should repeal the Clark Amendment because "it is a unique legal limitation on American foreign policy that treats Angola differently from other countries;" and that repeal would not commit the United States to "some positive course of action," but would "merely reverse an out-of-the-ordinary

²⁶Crocker interview.

restriction."²⁷ As noted elsewhere, Kassebaum had reservations about the timing of the repeal vote, in that it might complicate the Administration's southern Africa diplomacy, but said "If we wait until the time is 'right,' I'm afraid we might never repeal this amendment."²⁸ Again, Kassebaum's moderate and cautionary tone may have allayed the concerns of those Senators who felt uncomfortable with Symms' and Denton's more incendiary rhetoric.

Overall, the two Africa subcommittees did not play an important role in the outcome of the repeal debate. The full committee chairs, on the other hand, did. Both Fascell and Lugar had substantive reasons for supporting the repeal of the Clark Amendment. Both, too, wanted to pass the bill to which the repealer was attached. Had they thought that the repealer would jeopardize the bill (as it did in 1981), they had the power and the will to remove it, as they did with South Africa sanctions. But they both, and particularly Fascell, saw the repealer as a way of pulling in conservative support for a foreign aid bill. And neither heard any protest loud enough to make the Chairs believe that the bill was in jeopardy. They were right; the opposition was not there.

Party Leaders

²⁷Congressional Record--Senate, June 11, 1985, S7879.

²⁸Ibid.

The party leaders in both chambers were not at all active in the debate about Clark repeal. None of them participated in the floor debate, nor is there any evidence of pressure from them one way or another. This was simply not a party issue. In the Senate, in fact, the leader of the Democrats, Minority Leader Robert Byrd of West Virginia, voted for repeal.

In the House, staffers who were committed opponents of repeal bemoaned the fact that the "Speaker's knowledge of the issue was 'near zero'."²⁹ They acknowledged, too, that reinstating the aid ban, or at least preventing the enactment of an aid appropriation, would require that "Angola become a leadership issue and a party issue."³⁰ Senator Kassebaum posited that the Democratic leadership in both chambers could only "handle one foreign policy issue at a time," and it was unlikely that Angola would ever be that issue.³¹

The repeal of the Clark Amendment came to the congressional agenda and was enacted without the attention or the energy of either party or committee leaders. It came, instead, from two members who had made their claims to fame on other issues, but who, because of approaches from

²⁹Internal memorandum, not for citation.

³⁰Ibid.

³¹Senator Nancy Landon Kassebaum, personal interview, Rutgers University, March 1989.

outside actors and the right set of personal incentives, took on as their own the cause of Unita and the "freedom fighters" in Angola.

These two members--Symms and Pepper--were able to dominate the discussion of the issue because the issue leaders on the other side were either gone, distracted, or caught unawares. As noted in Chapter 7, Senator Kennedy did make a brief floor speech against repeal, but it was in large measure lifted from his 1981 floor speech on the subject.³² His staff admitted to Margaret Calhoun that they were completely unprepared on this one, and did have not sufficient command of the facts of the case to make an effective argument. They did not know, for example, whether the MPLA government had ever had free elections.³³

Senator Paul Tsongas, who had shaped the 1981 repeal plan into something acceptable to many supporters of Clark, had been diagnosed with lymphoma and retired from the Senate. Representative Wolpe, as noted above, was not active. Representatives Bonker and Addabbo who had all been strong advocates of the Clark Amendment in both 1975 and 1981, were not part of the debate in 1985. Addabbo was dying of cancer, and Bonker had turned his attention to trade policy.

³²Congressional Record--Senate, June 11, 1985, S 7878.

³³Calhoun interview.

And Representative Solarz, another loud and consistent voice in favor of the Clark Amendment, had turned his attention to Asia, particularly Cambodia and the Philippines. Although he voted against repeal of the Clark Amendment in 1985, his arguments for doing so sounded hollow in the face of his sponsorship of a proposal (attached to the same legislation as the Clark repealer) to send \$5 million in economic and military assistance to Cambodian rebels, who were resisting Vietnamese occupation of their country.

Before the House vote on the Clark Amendment repeal, Solarz made a long, complicated floor speech, in which he explained how the Cambodian and Angolan cases were different. In an article in Foreign Policy, he labeled the Cambodian and Afghani resistance movements as "insurgencies with merit" and the Angolan and Nicaraguan movements as undeserving of American assistance.³⁴ For a professor of international politics or a career foreign service officer, these arguments might have had resonance. For the average member of Congress, they did not. The countries were, to the lay person, Communist-dominated governments being resisted by grass-roots guerrilla movements, who spoke the language of democracy. In 1985, the similarities between

³⁴Stephen J. Solarz, "When to Intervene," Foreign Policy 63 (Summer 1986):20-39.

Angola and Cambodia were much more obvious than the differences.

With the most vocal supporters of the Clark Amendment out of the picture, rhetorical control of the Angola issue was up for grabs. In 1985, with the help of Unita and Miami's Cuban exile community, two members not heard from before on the issue emerged to lead the fight to repeal Clark. No one with a strong and focused voice came forward on the other side.

The Sponsors: Senator Steven Symms

In the Senate, the repeal amendment was sponsored by Senator Steven Symms of Idaho. Symms came to the Senate from the House in 1980, after defeating Frank Church in "one of those fiercely contested, exceedingly close elections which everyone remembers for a generation afterward."³⁵ He was elected by 4,300 votes, and was said to be helped to victory by President Jimmy Carter's early concession speech. Symms served until 1992, when he retired in the wake of negative publicity about his divorce.

Ideologically, Symms described himself as an "individualist Republican,"³⁶ but is described by others as "flamboyant," "ultraconservative," "controversial," "libertarian," a "staunch conservative in a staunch conservative state," "a genial and appealing man but also a

³⁵The Almanac of American Politics 1984, 313.

³⁶Politics in America 1986, 411.

strident ideologue,"³⁷ "iconoclastic and rather unpredictable."³⁸

As a legislator, Symms voted consistently conservative, earning the highest ratings from such groups as the Americans for Constitutional Action, the Chamber of Commerce, the National Taxpayers' Union and the American Security Council, and the lowest scores from the Americans for Democratic Action, the American Civil Liberties Union and AFL-CIO's Committee on Public Education. His conservatism was so unadulterated that he "was likely to be found casting a lonely vote in opposition to a bipartisan majority."³⁹

Symms' committee assignments would not lead him naturally to foreign policy issues. In the 97th Congress, he sat on the Budget Committee, the Environment and Public Works Committee, the Finance Committee, and the Joint Economic Committee. From the second of these, Symms became a "major player on highway issues"⁴⁰ According to Congressional Quarterly, on these issues, Symms "has

³⁷Almanac of American Politics, 1990, 334; and Politics in America, 1990, 402.

³⁸Politics in America 1986, 410. This unpredictability does not characterize Symms' voting record which is consistently conservative. It refers to his personality. For example, during Symms' House tenure, he arrived at a press conference brandishing two handguns as an expression of his opposition to a pending gun control bill.

³⁹Ibid.

⁴⁰Politics in America 1986, 410.

generally been credited with a steadiness and diligence that critics have accused him of lacking on other subjects."⁴¹

His most notable achievement in that area was the reestablishment of the 65 miles-per-hour speed limit. Among Symms' other domestic policy interests were: relaxing the terms of the Clean Air Act and protecting the mining, timber and agricultural interests in his home state.

Symms' lack of a committee platform from which to influence foreign policy did not prevent him from being active, or at least noisy, in that area. As a fervent opponent of all attempts at arms control, Symms argued that such attempts would lead to "a world ruled by the Soviet Union."⁴² Symms also took a controversial stand on South Africa. In 1985, when the House and Senate were considering imposing economic sanctions against the apartheid regime, Symms supported President Reagan's threat to veto such a bill. He said, "Apartheid for all practical purposes is gone in South Africa," and warned that sanctions would lead to "the same kind of bloodshed in South Africa in 1986 that you had in Virginia and Maryland in 1865."⁴³

Symms' interest in Angola was probably related to his deep hostility to the Cuban government of Fidel Castro. During the 1962 Cuban Missile Crisis, Symms was a Marine

⁴¹Ibid., 411.

⁴²Politics in America 1990, 400.

⁴³Politics in America, 1990, 400.

stationed at the Guantanamo naval base on Cuba. According to Congressional Quarterly, Symms returned from Cuba

lamenting President Kennedy's decision not to launch a full-scale invasion of the island. "It was just a matter of liberating the Cuban people," he would say later.⁴⁴

In 1982, Symms, Jesse Helms, and other anti-Castro Senators, tried to get Congress to reaffirm a 1962 law that would give the president blanket authorization to use force against Cuba to stop "Cuban subversion of the Western Hemisphere."⁴⁵ The effort failed when members of the Senate Foreign Relations Committee objected to its harsh tone.

Symms' desire to undermine Castro, his general anti-Communism, and his sympathy for South Africa would lead logically to an interest in Angola. Many conservatives, Symms included, believed that the most effective means for eliminating Castro's influence in Angola was to provide Unita with enough money and materiel to expel Cuban troops and to force the MPLA to come to terms with its opponents in Angola.

Symms did what none of the other actors in this story did--he visited "free" Angola. In the floor speech in which he proposed the repeal amendment, Symms said:

All you have to do is visit free Angola as I did in January 1984. I visited in Jamba [Unita's

⁴⁴Politics in America 1986, 412.

⁴⁵Ibid.

"capital city"] and had the opportunity to see what Dr. Savimbi is doing. I think he is one of the greatest men in the world. He is a leader in Africa who is pro-Western, Christian, black nationalist.⁴⁶

According to Symms' aide, Margaret Calhoun, Savimbi was initially hesitant to meet with Symms because he was not a member of the Senate Foreign Relations Committee. When Savimbi was persuaded of Symms' commitment, he agreed to meet. At the meeting, Symms was "so impressed that he wanted to help right away."⁴⁷

In late spring of 1985, Unita representatives in Washington approached Symms and explained to him that their situation was urgent, and that if Secretary Crocker's diplomacy succeeded, Unita would be crushed "by the pincers of SWAPO in Namibia and the MPLA in Angola."⁴⁸ Calhoun then met with Crocker and found his explanations of his policy to be "evasive." When she asked him to explain how the "all carrots and no sticks" approach to the MPLA would work, he could not.⁴⁹

Symms then proposed the amendment from the floor and it followed the course described in Chapter 7. In Fenno's terms, Symms' work on Angola was clearly motivated by his

⁴⁶Congressional Record--Senate, May 14, 1985, S 6053.

⁴⁷Calhoun interview, June 24, 1992.

⁴⁸Ibid.

⁴⁹Ibid.

desire to make "good public policy."⁵⁰ Angola was of little interest to his constituents and did nothing to advance his Senate career. Symms' ideology, his experience as a Marine in Cuba, and his contacts with Unita led him to the Angola issue. As discussed in Chapter 7, Symms' advocacy of an issue was not likely to sway many of his colleagues. But he did serve an important role--he brought the issue to the floor. Under other circumstances, such an unimpressive sponsor might have spelled the issue's doom. But the partisan and ideological balance in the Senate, Reagan's "rhetoric of democracy," and the minor foreign policy crises of the summer of 1985 turned Symms' proposal into legislative reality.

The Sponsors: Representative Claude Pepper

In the House, on the other hand, the source of the proposal was an important variable. Had the measure been proposed by a House analogue to Symms, it might not have passed. Had someone of Symms' reputation risen to announce such an amendment in the House, Chairman Fascell might have cut him off at the pass. Because of the greater inherent resistance in the Democratically-controlled House, the presence of a committed, respected advocate of repeal would significantly increase the likelihood of passage. The

⁵⁰Fenno finds all members to be motivated by three basic goals: re-election, influence with the chamber and good public policy. Richard C. Fenno, Congressmen in Committees (Boston: Little Brown, 1973):1

proponents of repeal could not have asked for a better champion than Claude Pepper.

In 1985, Pepper, at 85, was the oldest member of the House. He had represented the 18th District in South Florida since 1962. Pepper had also served two terms in the United States Senate from 1939-1951. For supporters of repeal, Pepper was an excellent advocate for several reasons.

First, Pepper was a loyal and generally liberal Democrat. In 1984, for example, Pepper received a score of 70 from the Americans for Democratic Action, a 16 from the American Conservative Union, a 92 from the AFL-CIO, and a 31 from the Chamber of Commerce.⁵¹ In 1982, the National Journal gave him a 96% liberal rating on economic issues and an 83% liberal rating on cultural issues.⁵² Pepper remained a "committed New Dealer"⁵³ until his death in 1989. He was a consistent and partisan defender of programs for the unemployed, the elderly, and the sick, and often accused opponents of such programs of "serving the interests of the rich and the selfish."⁵⁴ When campaigning against President Reagan in 1984, Pepper frequently used the line:

⁵¹Politics in America 1986, 353. .

⁵²The Almanac of American Politics, 1984, 270.

⁵³Ibid., 267.

⁵⁴Ibid., 269.

"How can a man with such a warm smile have such a cold, cold heart?"⁵⁵

Second, despite Pepper's liberalism on social and economic issues, he was moderate to conservative on foreign policy questions. In 1982, his National Security Index was 88; in the same year, the National Journal gave him a 57% liberal foreign policy score.⁵⁶ Pepper had always been a maverick on foreign policy, but not always in ways that could be described as conservative.

In his days as a Senator, during the presidency of Franklin Roosevelt, Pepper was "an internationalist when many politicians were holding to 19th century isolationism."⁵⁷ Pepper was a strong supporter of FDR's foreign policy perspective, and authored the 1941 Lend-Lease Act that was a turning point for the United States in World War II.⁵⁸ After the war, Pepper lost his 1950 bid for re-election for foreign policy reasons. He had earned the appellation "Red Pepper" when, after a 1945 visit to Europe, he proclaimed that Stalin was "a man Americans can

⁵⁵Politics in America 1986, 353.

⁵⁶Almanac of American Politics 1984, 270.

⁵⁷Politics in America 1990, 340.

⁵⁸Ibid.

trust."⁵⁹ Pepper also publicly split with President Truman on both the Marshall Plan and the Truman Doctrine.⁶⁰

During his years in the House, Pepper remained internationalist, but turned anti-communist. In the early 1980s, he was a "staunch backer of aid to the contras" and "delivered impassioned speeches to close the House debates on President Reagan's periodic aid requests."⁶¹ Some observers attribute Pepper's support for the contras and other insurgencies to the large number of strongly anti-communist Cuban exiles in his district. Others point to those "impassioned speeches" as an indication that his convictions were his own and deeply felt.⁶² While neither of these claims is provable, it is true that Pepper's foreign policy votes took a decided turn for the right in the mid-1970s as the number of Cubans in his district approached 50%.⁶³ And, as discussed in Chapter 8, it is also true that Pepper would probably not have sponsored the repeal amendment without a nudge from his constituents, in the form of a personal visit from the Director of the Cuban-American National Foundation.

⁵⁹Ibid., 343.

⁶⁰Ibid.

⁶¹Ibid., 340.

⁶²Ibid., 340.

⁶³Fill in.

A third reason why Pepper's advocacy was such a benefit to the cause of repeal was his influence among his colleagues. Several participants in the 1985 debates noted Pepper's influence. One observed

Pepper was the key....he carried the day. He can probably swing fifty votes just by asking.⁶⁴

An opponent of repeal said that a different sponsor might have produced a different outcome. Had someone like Stratton or Dornan (both of whom were co-sponsors) been the lead sponsor, the issue would have been perceived differently by rank-and-file members, and neither man would have had the base of support that Pepper seemed to have.

This base of support had several sources. "Credible" is word often used to describe Pepper, and a useful characteristic for someone trying to sway votes on an issue about which members know little.⁶⁵ The staff of Congressional Quarterly noted that Pepper's colleagues had "tremendous regard for him."⁶⁶ Pepper was also known as a "brilliant orator in the grandiloquent southern tradition but also a high...intellectual order."⁶⁷ Pepper's floor speeches often provoked standing ovations from his

⁶⁴Off-the-record interview.

⁶⁵This word was used by two House staffers in off-the-record interviews, by Caleb Rossiter and by Chester Crocker.

⁶⁶Politics in America, 1990, 342.

⁶⁷Almanac of American Politics 1990, 284.

colleagues on both sides of the aisle, regardless of how they voted on the legislation under consideration.

Pepper's Angola speech was no exception. Staffers from both parties recalled that as they stood at the back of the House chamber to watch him speak they realized that both the conviction of the speaker and the logic of his arguments would carry the day.⁶⁸

In addition to his personal characteristics, Pepper also had an institutional position that brought with it significant influence. As Chair of the House Rules Committee, Pepper controlled the House agenda and was thus able to influence the fate of every member's pet project. According to both Politics in America and the Almanac of American Politics, Pepper did use the committee's power to allow or prohibit votes on amendments "to advance his pet causes."⁶⁹ "This power to kill legislation made most committee chairmen more than happy to appease Pepper..."⁷⁰ Many members were also indebted to Pepper for his campaign work on their behalf.

On the 1982 campaign trail, Pepper was the one campaign asset--other than money--that Democrats seemed to want the most. Traveling alone and carrying his own bags, Pepper made public appearances for 70 Democratic candidates in 25 states. Crowds appeared more interested in Pepper than in the candidates for whom he was

⁶⁸Off-the-record interviews.

⁶⁹Almanac of American Politics, 1990, 185.

⁷⁰Politics in America 1990, 342.

campaigning. Ann Lewis, political director of the Democratic National Committee, said in 1982 that Pepper was "the sexiest man in America."⁷¹

Pepper's personal attributes and his relationships with his colleagues made him a near-perfect sponsor for the repeal amendment. It is impossible to say whether the amendment would have passed without Pepper's stewardship, but it is clear that the likelihood of passage was considerably enhanced by his involvement.

CONCLUSION

The importance of the presence or absence of particular individuals to the outcome of a legislative debate is difficult to measure. One can only speculate as to how the Angola debate might have turned out if Clem Zablocki had not died in office, but had lived to continue his tenure as Chair of the House Foreign Affairs Committee. Might the outcome have been different, had Claude Pepper decided to retire in 1980 at the age of 80 instead of vowing to serve until his 100th birthday in the year 2000?⁷² If the Vietnamese had withdrawn from Cambodia and rendered moot Solarz's support for the resistance there, might he have been a more effective advocate for the Clark Amendment?

Again, there are no answers to these questions. What is clear is that most of the legislators who were most

⁷¹Politics in America 1986, 351.

⁷²Politics in America 1986, 352.

prominent in the debates of 1975 and 1981 were supporters of the Clark Amendment, and were very quiet in 1985. Most of the members of Congress who were active in 1985 were advocates of repeal, and were not heard from at all in the earlier debates. The people whose function is to bring an issue to the congressional agenda and shepherd it through the legislative process were different in 1975 and 1985. They were different not only in face and name; they were on opposite sides of the issue.

Why did this happen? In part, it was because of changes in the lives of the members--some died, some retired, some lost interest in Angola, others found that they had constituents who cared about Angola. In part, too, the partisan shifts in both chambers pushed the Republicans to power in the Senate and gave their members control of the Senate's agenda, and pushed the House leadership into a more accomodationist mode. Finally, the issue changed, and made the arguments of some, that had sounded so fresh and poignant in 1975, sound naive and outdated in 1985. Other voices, more consistent with the prevailing rhetoric of democracy, prevailed on the House and Senate floor.

CHAPTER 11

CONCLUSION

In 1985, Congress changed its collective mind about Angola and removed the ban on aid to insurgent forces there. Why? The situation on the ground in Angola had not changed significantly during the ten-year period under study. The MPLA and Unita continued their struggle for power in Angola. The Soviets and Cubans continued to back the MPLA in 1985, as they had in 1975. South Africa maintained its interest in, and military intervention in, Angola. Yet, despite relatively small changes in the military-political situation in Angola during the period under study, Congress reversed itself on the issue of aid to the rebels.

If this policy reversal was not in response to changes in the Angola situation, why did it occur? The policy shift was the result of the interplay of changes in individual, institutional and environmental factors. Changes in the issue leadership in Congress, in the congressional membership, in presidential rhetoric and leadership, in the international context, in the mood of the public, and in interest group activity were all necessary, but none alone was sufficient, to create a climate conducive to policy change.

Environmental Changes

At the environmental level, the most important influences on Angola policy were changes in: the

international context, the rhetoric and behavior of the president, and the constellation of interest groups active on the issue.

The international context

In 1975, the defining event in the international context was the Vietnam War. The American withdrawal from that conflict, along with revelations about CIA abuses and Watergate, created a anti-executive, anti-interventionist mood among a majority of legislators and the public. By 1985, the Soviet invasion of Afghanistan, perceived Soviet or communist advances in Central America, Africa and Asia, the decline of American influence in such places as Iran and the Philippines, and the instability in Lebanon and Central Europe, fostered a sense among policy-makers and the public alike that the global situation was unfavorable, perhaps dangerously so, to the United States. According to Azrael and Sestanovich,

For the United States, [in 1985] two problems continued to stand above the rest: the Soviet strategic nuclear buildup and Moscow's military engagement, both direct and indirect, in the Third World.¹

Along with this sense of heightened threat came a feeling that the United States could, and should, meet these global challenges.

If there was an overriding theme for the United States in 1984, it was the strong feeling of

¹Jeremy R. Azrael and Stephen Sestanovich, "Superpower Balancing Act," Foreign Affairs, America and the World 1985 Vol 64., No. 3 (1985):479.

renewed national pride, of self-confidence restored. America was experiencing a new nationalism....²

These changes in the international situation, and in the mood of the American public, do not result in automatic policy adjustments. Rather, policy change emerges from a political process that has both internal and external components. The most important external actors are the President and interest groups whose influence varies over time and across issues, and can take the forms of offered favors, threatened punishments, or attempts to use rhetoric to manipulate perceptions.

The President and Interest Groups

In 1975, the champions of the Tunney and Clark Amendments, most of whom were within Congress, relied primarily on the rhetoric of the "lessons of Vietnam" to frame the conflict in such a way that legislators and the public alike were inclined to support American withdrawal from the Angolan conflict. President Ford, politically weak and distracted, was unable to counter this rhetoric or to use rewards or punishments to influence congressional thinking on the issue. Interest groups in 1975 were relatively quiet; those that did make noise also purveyed the "ghost of Vietnam" image.

By 1985, President Reagan, and with him advocates of

²"Introduction," Foreign Affairs: America and the World 1984 Vol. 63, No. 3 (1984):442.

repeal of the Clark Amendment, had a large audience for his "rhetoric of democracy" that celebrated American values and made legitimate the use of American power in support of those values. For his 1984 campaign, Reagan chose the slogan "America is back," and

the truth was that America was back--in at least the sense that it would no longer passively acquiesce in the achievement of an irreversible military superiority by the Soviet Union and that it was no longer prepared...to "accommodate [itself] to the inevitable loss of the world to Moscow."³

Other leaders might have provided a less dramatic interpretation of global trends. Reagan chose to frame recent international developments as connected events that merited a concerted response. This kind of framing provided a necessary push for policy change. Like-minded members of Congress adopted the President's rhetoric and arguments time and again as they built congressional support for the repeal of the Clark Amendment.

In 1985, interest group activity abetted the President's cause. The Cuban-American National Foundation, also using Reagan's "evil empire" and "freedom fighter" images, pushed their cause hard in the right congressional places. There was little activity from interest groups who favored maintaining the aid ban.

Individual Level Changes

³Norman Podhoretz, "The Reagan Road to Detente," Foreign Affairs: America and the World 1984 Vol. 63, No. 3, 1984:462.

New Issue Leaders

These shifts in the international context and this new set of external political pressures combined with changes within Congress to create the conditions necessary for congressional policy reversal regarding aid to the Angolan rebels. Among the most important of these internal changes was the emergence of a new set of issue leaders. In 1985, Claude Pepper in the House and Steven Symms in the Senate, each of whom had been moved to act by suggestions from interest groups, provided well-timed and articulate arguments for repeal.

In 1975, on the other hand, the issue leaders were almost all on the side of the aid ban. Senators Clark, Tunney, and later Tsongas, and Representatives Bonker, Harrington and Solarz were all active advocates for Clark's approach to the Angolan question. These legislators were absent from the debates in 1985. Pepper and Symms controlled the day, with little resistance from the other side.

The issue leadership of Symms and Pepper may have been a necessary condition for the repeal of the Clark Amendment, but they alone could not bring about the repeal. They needed enough followers to comprise voting majorities in both chambers.

Institutional Changes

A New Congressional Rank and File

In the ten years between 1975 and 1985, the composition of Congress changed enough to make the building of such majorities possible. The "replacement effect" manifested itself as members who supported the Clark Amendment retired, were defeated, or lost interest in the issue. More conservative members were sent to Congress by voters who had, on average, shifted slightly to the right.

The "conversion effect" also explained part of the new consensus on Angola. Some members, mostly Southern Democrats, changed their minds on the question of aid to the Angolan rebels. They had voted for the Clark Amendment in 1976 but then switched to vote for repeal in 1985. These forty or fifty members--the moderates, the switchers, the fence-sitters--were susceptible to Reagan's rhetoric of democracy and to the arguments of Pepper and Symms. Seeing changes in the international environment, and hearing no compelling arguments from the other side, they switched their votes on Angola. This group of members deserves further study. They may be the important swing group in Congress, not only on foreign policy, but on economic and social issues as well.

Lessons from the Repeal

Clearly, changes in the objective reality of the international situation were not enough to stimulate policy change in Congress. That situation had changed dramatically in 1979, and Angola policy remained the same. The

importance of internal power shifts, membership change and presidential rhetoric in explaining Angola policy change seems to indicate that something other than rational decision-making is taking place.

This might strike some critics of Congress as proof of the dangers of congressional foreign-policy making. Are the Angola decisions an indication of the volatility and lack of vision that these critics predicted would come with an increased congressional foreign policy role?⁴ Or are they evidence of that reasonable men and women, subject to many influences, can disagree, but will engage in the productive debates--among themselves and with the President-- that champions of congressional involvement promised would come with a larger role for Congress?⁵ Or was the 1985 repeal a sign that the mid-1970s were an aberration and Congress was finally backing out of foreign policy-making and returning control of that realm to the president?

A Declining Congressional Role?

⁴See, for example, Thomas M. Franck and Edward Weisband, Foreign Policy by Congress (New York: Oxford University Press, 1979); I.M. Destler, Leslie H. Gelb, and Anthony Lake, Our Own Worst Enemy: The Unmaking of American Foreign Policy (New York: Simon and Shuster, 1984), Ch. III; Lloyd N. Cutler, "To Form a Government," Foreign Affairs 59(Fall 1980):125-143; and Gordon S. Jones and John A. Marini, The Imperial Congress (New York: Heritage Foundation, 1988).

⁵See, for example, James M. Lindsay, Congress and Nuclear Weapons (Baltimore: Johns Hopkins University Press, 1991); and Eileen Burgin, "Congress and Foreign Policy: The Misperceptions," in Lawrence C. Dodd and Bruce I. Oppenheimer, Congress Reconsidered, 5th ed., (Washington, DC: CQ Press, 1993).

Congressional action in the years after 1985 indicates that the answer to the last of these questions is a definite "No." Writing in 1993, Ripley and Lindsay note that

Today members of Congress challenge the White House publicly and with a frequency they would not have dreamed possible in the two decades following World War II, an era characterized by deference to the president on many foreign policy matters, infrequent public challenges, and a fairly high incidence of bipartisanship.⁶

Throughout the 1980s and into the early 1990s, Congress was neither deferential, bipartisan nor quiescent where foreign policy was concerned. Continuing patterns begun in the mid-1970s, the legislative branch left deep imprints on the defense budget, cutting programs that the Pentagon wished to maintain, such as the B-2 bomber and the Strategic Defense Initiative, and increasing programs that the Pentagon wished to cancel like the Stealth fighter.⁷ In these decisions, members of Congress may have been more interested in keeping defense business in their district than in pursuing a particular military strategy, but regardless of motive, they certainly did have an impact on policy independent of, and often contrary to, executive initiative.

With the arrival of a Democrat in the White House in 1993, the House and Senate, both controlled by the

⁶Randall B. Ripley and James M. Lindsay, Congress Resurgent: Foreign and Defense Policy on Capitol Hill (Ann Arbor: University of Michigan Press, 1993):11.

⁷Ibid., 5.

Democrats, initially became somewhat less critical of presidential foreign policy initiatives. In August of 1993, eight months into the Clinton presidency, Carroll J. Doherty wondered whether Congress was still "keeping watch over foreign policy."⁸ He noted that the fall of communism left members without a "guidepost in international affairs," and the rise of Clinton left both Republicans and Democrats confused. Democrats, for at least sixteen of the past twenty years, had complained that Republican presidents avoided consultation with Congress and violated the constitutional principle of separation of powers in their foreign-policy making. With Clinton in the White House, Democrats were arguing that Congress should "provide the administration with latitude to handle problems overseas as Clinton and [Secretary of State Warren] Christopher see fit."⁹

Republicans, on the other hand, were

finding it difficult to switch gears from their stance of the past 12 years, when they were staunchly protective of presidential prerogative in foreign policy.¹⁰

By the fall of 1993, however, it had become clear that this quiescence, or confusion, was a temporary state of

⁸Carroll J. Doherty, "Foreign Policy: Is Congress Still Keeping Watch?" Congressional Quarterly Weekly Report, August 21, 1993, 2267.

⁹Ibid., 2268.

¹⁰Ibid., 2268.

affairs. Republicans were finding their voice as the opposition party and Democrats were calling an end to their president's honeymoon. As Clinton was faced with the need to deploy troops in Bosnia, Somalia and Haiti, both Republicans and Democrats in Congress felt compelled to weigh in on these debates. Whereas in the summer of 1993, there had been no formal floor debates on the Bosnian crisis, by early October, Senate Minority Leader Bob Dole of Kansas, was sponsoring a sense of the Senate (i.e., non-binding) amendment stating that no American funds could be used to support deployments to Bosnia unless Congress authorized the intervention in advance. To the same defense spending bill were added: a Republican-sponsored amendment urging (but not requiring) that the President get congressional approval before placing American troops under foreign command and a Republican-sponsored amendment urging that the President seek congressional approval before sending troops to Haiti.¹¹ Finally, the bill contained an amendment sponsored by Democrat Robert Byrd of West Virginia that would permit the Defense Department to pay "for expenses incurred **only through March 31, 1994** for the operations of United States Armed Forces in Somalia."¹² In other words, as prior Democratic Congresses had done with

¹¹Pat Towell, "Clinton's Policy is Battered, But His Powers are Intact," Congressional Quarterly Weekly, October 23, 1993, p. 2896.

¹²Congressional Quarterly Weekly, October 16, 1993, p. 2827. Emphasis mine.

Republican policies in Vietnam, Cambodia, Angola, Nicaragua, and so on, the 103rd Congress was using its appropriations powers to shape presidential foreign policy initiatives.

According to Doherty, the numerous conflicts over foreign policy in Clinton's first year were "strikingly similar to the battles with Congress that President Reagan waged a decade ago."¹³ Despite Clinton's pledge to "build a partnership with Congress" over foreign policy, the battle lines appeared not to have moved much since the Reagan years. Members of Congress of both parties were calling for increased consultation, and the President was "protecting his powers as fiercely as Reagan or Bush."¹⁴ When reporting to Congress on the situation in Haiti, Clinton even resorted to the same legalistic device employed by his predecessors when he described the report as "consistent with" the War Powers Act, rather than "as required by" the Act. Presidents use this device to indicate that they are unwilling to submit themselves fully to the constraints imposed by the Act.¹⁵

Clearly the 1985 repeal of the Clark Amendment and the removal of other restraints on executive action in that year did not indicate a withdrawal of Congressional involvement

¹³Caroll J. Doherty, "New Scene, Familiar Script," Congressional Quarterly Weekly Report, October 23, 1993, 2897.

¹⁴Ibid.

¹⁵Ibid.

from the foreign policy arena. The executive-legislative struggle for control of that arena persists, even in a time of unified party control of the government. Friedberg writes,

Both the changes within Congress and the shift in the balance of executive-legislative power have deep and fundamental causes; neither one will be easily or quickly reversed...There is no reason to expect [members] to accept a reversion to previous practices, even if, in some ways, this would make life easier for the executive. The notion that, having reclaimed its constitutional role as a co-equal partner in foreign affairs, the Congress would now be willing to give it up is also farfetched.¹⁶

If the policy shift on Angola does not indicate a change in the institutional role of Congress as a foreign policy-maker, what then, is its broader significance? Is Congress merely an irresponsible, unpredictable interloper in the foreign policy realm, or can the congressional actions be defended as the results of a deliberative, logical policy process?

An Irresponsible Congress?

The Angola cases show members of Congress being swayed by the rhetorical skills of the President. They show decisions changing because particular members retire and other members, previously silent, choose to speak out on the issue after a visit from an interest group representative.

¹⁶Aaron L. Friedberg, "Is the United States Capable of Acting Strategically? Congress and the President," in Charles W. Kegley, Jr., and Eugene R. Wittkopf, The Future of American Foreign Policy (New York: St. Martin's Press, 1992):110.

They show unquestioning rank-and-file members, some of whom could not locate Angola on a map, taking cues from these issue leaders. They show Angola policy shifting because voters (for reasons that have nothing at all to do with Angola) elect more conservative members. They show fence-sitters voting first one way, then another on the Angola issue. Volatility, unpredictability, susceptibility to persuasion, lack of information: these are the sins that critics of Congress point to in their arguments for limiting congressional involvement in foreign policy-making. Eileen Burgin, a proponent of a strong foreign policy role for Congress, writes that critics of Congress complain about: "institutional inadequacy (for example, inefficiency), inconstancy, ignorance, or perhaps most important members' reelection orientations."¹⁷

The Angola cases provide some support for these indictments. Certainly there was volatility on the question of whether to support insurgent movements. But, the legislative branch can be forgiven for some inconsistency on this issue. The executive branch, too, suffered from confusion on the question. Carter's early foreign policy designs were more internationalist and moralistic than those of his Republican predecessors, but became more Nixonian as his administration matured. Even the Reagan Administration suffered from a mild case of internal dissension about how

¹⁷Burgin in Dodd and Oppenheimer, 333.

to handle regional conflicts in a post-Vietnam, but not yet post-Cold War world.

There is some foundation, too, to the charge that many Congressmembers knew little, and cared less, about Angola. These uninformed members, however, did cast votes on Angola, and must have been following some decision rules when they did so. The analysis of the Angola cases does not reveal with precision what these rules were. The only way to discover the motivations of these members would be to interview them and their staff immediately after the vote--a method not applicable to this study. It is, however, possible to infer their motivations from earlier research on congressional voting.

Clausen posits that members develop decision rules for broad policy categories and apply those rules to particular decisions as they come up. This saves members the difficulty of becoming familiar with the details of individual policy questions. For Clausen, "Congressmen are considered to be ordered...from those who favor restraint to those who favor an activist policy."¹⁸ While the restraint-activist labels are perhaps outmoded, the point that rank-and-file members apply broad decision rules to specific cases still pertains. And, as the composition of Congress changed in the early 1980s, the center of gravity

¹⁸Aage Clausen, How Congressmen Decide: A Policy Focus (New York, St. Martin's Press, 1973):42.

along this decision rule spectrum slid to the right.

It is also likely that some of these uninformed members employed the cue-taking decision strategies discussed by Matthews and Stimson.¹⁹ In these cases, members look to their party leaders, senior members of their state delegations, or other trusted colleagues, for guidance on votes. The observation by committee staffers that Claude Pepper's support for the issue brought several dozen votes to the issue is evidence of this effect.

Given the time and attention constraints faced by all members of Congress, it is likely that many members did rely on their general ideological predispositions, or on cue-taking, to guide them to a decision on the Angola votes. This is not to say, however, that substantive discussion and deliberation were absent from the decision process.

A Deliberative Branch?

In his defense of the United States Congress as a deliberative body, Joseph Bessette critiques what he sees as the two "reigning paradigms" in the field of congressional decision-making: the re-election paradigm and the bargaining paradigm. The first holds that all legislative behavior can be understood in terms of the re-election incentive; the second is based on the premise that "the typical public law is simply the outcome of enough individual bargains to build

¹⁹Donald Matthews and James Stimson, Yeas and Nays: Normal Decision-Making in the United States House of Representatives (New York: John Wiley and Sons, 1975).

a majority."²⁰ In his analysis of 27 case studies of congressional decision-making, Bessette finds much evidence to dispute both perspectives. He concludes that the pursuit of "good public policy" (from Fenno's Congressmen in Committees) is an independent force in explaining congressional behavior.²¹

Logrolling and Electoral Concerns

The Angola cases support this view, but (as with the cue-taking and decision rule models discussed above) they do not entirely undermine the re-election or bargaining interpretations. In the three important votes analyzed here, in 1975, 1981 and 1985, all types of behavior were in evidence. While there is no direct evidence of bargaining in any of the Angola votes, there may have been implicit logrolling in 1985 if members voted for Pepper's amendment in anticipation of future positive Rules Committee treatment. Re-election concerns probably influenced Tunney's behavior in 1975, and certainly affected, and probably actually stimulated, Pepper's behavior in 1985. But, because Angola was an issue of little concern to the average American, it is unlikely that the "electoral connection" played a major role in the decision process of

²⁰Joseph M. Bessette, The Mild Voice of Reason: Deliberative Democracy and American National Government (Chicago: University of Chicago Press, forthcoming):Ch. 1, p. 8; Ch. 5, p. 7 and Ch. 4, p. 61. (Page numbers refer to draft version of the book.)

²¹Ibid., Ch. 5, p. 1.

most members.

Deliberation

Analysis of committee reports, floor debates and interviews reveals that at least some members of Congress engaged in serious, substantive debate about the issue. Members who chose to learn about the issue could learn a lot. Administration officials, academic specialists, oil company representatives, Unita officials and the Cuban lobby provided detailed information on the pros and cons of the Angola aid question. Most of the Representatives and Senators who led the Angola debates were familiar with the situation in southern Africa, understood the connection between Angola and the broader geopolitical situation, realized the implications of Angola policy for the Namibian question, and had considered the various approaches to the Angola problem. Members such as Dick Clark, Don Bonker, Paul Tsongas, Stephen Solarz, Steven Symms, and to a lesser extent, John Tunney, were rightfully considered to be congressional experts on the issue, and, as with other congressional issue experts, may have "possessed a degree of expertise and kind of institutional memory rarely found in the upper echelons of Executive Departments."²²

Claude Pepper, of course, was an exception to this generalization. His floor speech on repeal was made with

²²Francis O. Wilcox, "Cooperation vs. Confrontation: Congress and Foreign Policy Since Vietnam," Atlantic Community Quarterly 22(Fall 1984):277.

great conviction, but without substantive knowledge of the issue at hand. The conviction he displayed was fueled by his general interest in anti-Castro policies which was in turn stimulated by constituency concerns. This orientation, and his powerful institutional position as Chair of the Rules Committee, made him the perfect target for the lobbying efforts of the Cuban-American National Foundation.

A Responsible Partner?

Given the variety of factors motivating congressional foreign policy decisions and the wide diversity in congressmembers' attention to, and expertise in, this policy area, it is no surprise that both critics and champions of congressional involvement can find empirical support for their arguments to reduce or maintain the foreign policy role of Congress.

These arguments notwithstanding, Congress is likely to continue to be an assertive foreign policy-maker even if its decision process is sometimes slow and messy and the participants are not always well-informed, thoughtful, or motivated by the desire to make good public policy.

The institutional and political changes that preceded, and made possible, the enactments of the Clark and Tunney amendments in 1975 and 1976 ensured a new congressional assertiveness in the foreign policy realm. That assertiveness can come from the right or the left, from the Republicans or the Democrats, in favor of withdrawal or

intervention, in support of or opposition to the president.

Not only is Congress still willing to fight with the President for control of American foreign policy, but internally, the legislative branch is still defined by what Samuel Huntington has called a "tremendous dispersion of power."²³ Traditional power centers may be somewhat stronger in the early 1990s than in the mid-1970s, but junior members can still make a significant mark on legislative outcomes.

The Angola cases show this decentralized, empowered Congress in action. They also show that the policy-making process is not random; it does have certain characteristics that can be manipulated by participants in the process to influence policy outcomes.

While the "dispersion of power" impedes the exercise of formal, institutional leadership, it facilitates the exercise of issue leadership. As in the Russian Revolution when "power was lying the street" and the revolutionaries picked it up, in Congress, the Angola issue was laying in the halls of Congress in the mid-1970s and John Tunney picked it up. In the mid-1980s, Symms and Pepper found the issue unattended, and seized it, much to the surprise (and dismay) of its former owners. Individuals matter in

²³Cited in Aaron L. Friedberg, "Is the United States Capable of Acting Strategically? Congress and the President," in Charles W. Kegley and Eugene R. Wittkopf, The Future of American Foreign Policy (New York: St. Martin's Press, 1992): 104.

Congress, and can have a profound impact on public policy.

The Angola cases also show that, despite the post-reform assertiveness of Congress, the President still matters, too. President Reagan's rhetorical support for a new American foreign policy that would roll back communism and support freedom fighters helped members of Congress rethink their attitudes about the appropriate uses of American power. Future Presidents should learn from Reagan the importance of the "rhetorical presidency."

The policy shift on Angola demonstrates that leadership is not enough. Followers matter, too, and so do the elections that change the composition of the congressional flock. One of the reasons that Reagan's rhetoric caught on in 1985 but not in 1981 was that his congressional audience was different. Senior members still full of the memory of Vietnam were replaced by new members for whom Afghanistan and the Iranian hostage crisis were defining foreign policy events.

In this decentralized and open policy environment, outside sources of information and influence can also play an important role in shaping policy outcomes. The media influenced the legislative strategy and likelihood of success of the issue activists in 1975. In 1985, the Cuban-American lobby was instrumental in bringing the repeal issue to the attention of Representative Pepper. Unita's Washington office, too, understood when and where to push.

The oil lobby, on the other hand, seemed not to realize that Congress exercised independent control over foreign policy, and concentrated most of its energies on negotiating with the State Department. Perhaps a more energetic effort by the oil interests would have caught the attention of, and strengthened the hand of those in Congress who might have argued effectively for continuing the aid ban.

The Angola cases show, most of all, the complexity of the policy-making process in Congress. A particular convergence of individual, institutional and environmental factors was necessary before Angola policy could change. The complicated processes of Congress, the dispersion of power, the broad agenda, the diversity of interests, the myriad of conflicting external pressures all encourage incremental policy-making. Significant policy change, even policy reversal, can occur, and can be encouraged, but, like some chemical reaction, only when all of the necessary elements are present in the proper proportions.

Congress can be a deliberative body, making careful, informed choices after considering alternatives, consulting widely, and listening carefully. Congress can also be an irresponsible policy-maker, making decisions with little information and for all the wrong reasons. Most of the time, the policy process in Congress is a combination of the two, with committed, knowledgeable members trying to influence and organize their colleagues to do what the

advocates see as the right thing. These colleagues, of course, are susceptible to other influences---the President, interest groups, their constituents, their own predispositions. The membership reacts to changes in all of these factors, and policy shifts accordingly. Most of the time, because of the complexity and diversity of the factors involved, the shifts are small. Sometimes, as with Angola, when the myriad of influences occur at the right time and in the right proportion, Congress changes its mind.

APPENDIX 1

Proposals regarding U.S. Policy Towards Angola, December 1975

December 4, 1975, amendment to S. 2662, proposed by Sen. Dick Clark (D-IA), for consideration by the Subcommittee on Foreign Assistance of the Senate Foreign Relations Committee, designed to prohibit any further military or related assistance to or for Angolan interests without specific authorization under the Foreign Assistance Act. Signed into law as the Clark Amendment to the International Security Assistance and Arms Export Control Act of 1976, June 30, 1976.

December 15, 1975 SJ Res 156, sponsored by Sen. Dick Clark (D-IA), prohibits the use of funds for certain military, training or advising activities in, to, for, or on behalf of Angola. Action taken: referred to the Senate Foreign Relations Committee for study. Adopted by the Subcommittee on Foreign Assistance on December 16, 1975 by a vote of 7-0. Prior to the vote, the subcommittee heard testimony from representatives of the Department of State and the Central Intelligence Agency.¹ The full Committee on Foreign Relations approved the resolution by voice vote on December 18, 1975. No further action taken.

December 16, 1975: HJ Res 751, sponsored by Representative Seiberling, prohibits the use of funds for certain security assistance and other activities in, to, for or on behalf of Angola. Action taken: referred to the International Relations Committee for study. No further action taken.

December 17, 1975: the Tunney Amendment, proposed by Sen. John Tunney (D-CA), to the Defense Appropriations Act, to prohibit the use of funds in the Act for activities in Angola other than intelligence gathering. Adopted by the Senate on December 20 and by the House on January 27, 1976.

¹ The Senators voting yea were Humphrey, Church, McGee, McGovern, Case, Javits, and Scott (Pa.) The subcommittee adopted the resolution during consideration of the Clark Amendment to S.2662 "in order to have a legislative vehicle which could be acted on at once, in view of...the fact that S. 2662 would not be acted on until the next session. See "Restrictions on Assistance to Angola," Report No. 94-584, from the Senate Committee on Foreign Relations, December 18, 1975.

December 17, 1975: the Griffin Substitute, sponsored by Sen. Griffin (R-Mich). Immediately after the introduction of the Tunney Amendment from the floor, Sen. Griffin offered a substitute which read "[none of the funds] in this Act may be obligated or expended to finance the involvement of United States military or civilian forces in hostilities in or over or from off the shores of Angola..." Much of the debate during the next three days was a consideration of the Tunney vs. Griffin approaches. Defeated on the floor, 72-26, December 18, 1975.

December 17, 1975, SRes 333, sponsored by Sens. Stevenson, Robert Byrd, Humphrey, and Muskie initially; later joined by Sens. Goldwater, Stone, Philip Hart, Helms, Morgan, Bellmon, Beall, Domenici, Abourezk, Hollings. To express the sense of the Senate with respect to the conflict in Angola. The resolution urged the President to withhold assistance to any faction in Angola, to call upon other nations to do the same, to work through the United Nations and the Organization of African Unity for a resolution of the Angolan conflict, and to impose economic sanctions against countries that persist in intervention. Senator Stevenson asked for unanimous consent for immediate consideration of his resolution (late in the evening of December 17). Sen. Packwood objected to "doing something of this magnitude at this hour of the night." The resolution was placed on the calendar for future consideration which it never received.²

²Congressional Record, December 17, 1975, p. 41212.

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Appendix 2

List of Congressional Briefings conducted by Executive Branch on Angola July, 1975 - December 1975

Following is a list of Congressional briefings which the Executive Branch conducted with committees of Congress, individual members and other Congressional staff persons between July, 1975, and the end of the year:

Senate

- July 25--Two members of the Foreign Relations Committee and one staff aide briefed by the CIA.
- July 30--Three members of the Intelligence Operations Subcommittee of the Appropriations Committee and two staff aides briefed by the CIA.
- August 4--Senator Dick Clark (African Affairs Subcommittee Chairman) Briefed by the CIA.
- September 5--Three members of the Intelligence Operations Subcommittee of the Appropriations Committee and two staff aides briefed by the CIA.
- September 23--Four members of the CIA Subcommittee of the Armed Services Committee and two staff aides briefed by the CIA.
- October 31--Six members of the Select Committee on Intelligence Operations and twenty staff aides briefed by the CIA.
- November 6--Nine members of the Foreign Relations Committee and three staff aides briefed by the CIA.
- December 1--Senator Clark briefed by Ingersoll, Schaufele and Mulcahy.
- December 4--Ten staff members of various committees briefed by Haverkamp, Andrew and Fugit of AF Bureau.
- December 8--Senator Clark briefed by Schaufele as a followup of the December 1 briefing.
- December 8--Two members of the Foreign Relations Committee and one staff aide briefed by the CIA.
- December 12--Four members of the CIA Subcommittee of the Armed Services Committee and two staff aides briefed by the CIA.
- December 16--Two members of the Intelligence Operations Subcommittee of the Appropriations Committee and two staff aides briefed by the CIA.
- December 16--Ten members of the Subcommittee on Foreign Assistance & Economic Policy of the Foreign Relations Committee and several staff aides briefed by the CIA.

December 16--Senator Strom Thurmond (Member of CIA Subcommittee of the Armed Services Committee) briefed by the CIA.

House

July 25--Three members of the Special Subcommittee on Intelligence of the Armed Services Committee and one staff aide briefed by the CIA.

July 29--Thirteen members of the Defense Subcommittee of the Appropriations Committee and two staff aides briefed by the CIA.

July 31--Six members of the Subcommittee on Oversight of the Foreign Affairs Committee and one staff aide briefed by the CIA.

September 8--Four members of the Special Subcommittee on Intelligence of the Armed Services Committee and one staff member briefed by the CIA.

September 4--Five members of the Subcommittee on Oversight of the Foreign Affairs Committee and one staff aide briefed by the CIA.

October 6--Thirteen members of the Defense Subcommittee of the Appropriations Committee and two staff aides briefed by the CIA.

October 23--Eight members of the Select Committee on Intelligence and one staff aide briefed by the CIA.

November 5--Mulcahy testified before the International Resources, Food and Energy Subcommittee of the Foreign Affairs Committee.

November 13--Congressman Charles Diggs and nine other Congressman plus several staff aides informally briefed by Mulcahy.

December 9--Thirteen members of the Defense Subcommittee of the Appropriations Committee and three staff aides briefed by the CIA.

December 9--Seven members of the Subcommittee on Oversight of the Foreign Affairs Committee and one staff aide briefed by the CIA.

December 11--Six members of the Subcommittee on Military Affairs (Fascell Subcommittee) briefed by Mulcahy.

December 12--Congressman Riegle briefed by Mulcahy.

December 12--Five members of the Special Subcommittee on Intelligence of the Armed Services Committee on two staff aides briefed by the CIA.

December 15--J. Daniel O'Flaherty, staffer for Congressman Harrington, briefed by Fugit AF/C.

December 16--Representative Dale Milford (member of House Select Committee) briefed by the CIA.

December 17--Mahon Subcommittee briefed by Colby and Sisco.

December 17--Congressman John Burton and others
(unknown) briefed by Mulcahy.

December 17--Mulcahy appeared before an informal group
of twelve Representatives and 35 staff aides.

December 17--Congressman Legitt briefed by Colby.

December 18--Closed Session of about 100

Representatives briefed by Sisco and Mulcahy.

December 19--Members of the Black Caucus briefed by
Sisco and Mulcahy.

Tom Doubleday of AF/C briefed 8 Congressional staffers
in the period December 16 to December 31.

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