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THE ROLE OF THE LEGISLATIVE BRANCH
IN NATIONAL AFFAIRS

Dr. Roger Hillsman

NOTICE

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Reviewed by: Colonel Tom W. Sills, USA

Date: 21 September 1960

INDUSTRIAL COLLEGE OF THE ARMED FORCES
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29 August 1960

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Reporter: R. W. Bennett

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CAPT. HYDE: General Mundy, Gentlemen: The interaction between the legislative and the executive branches of our Government causes a great deal of discussion, and many claims and counterclaims in our press, radio, and TV. It becomes very difficult for a layman to understand just who is responsible for what.

Last Friday afternoon we had a discussion on the executive branch. This morning we will focus our attention on the legislative branch of our Government.

To help us understand just what this means in our national political turmoil, we have invited Dr. Roger Hilsman, Deputy Director of Research for the Legislative Reference Service of the Library of Congress. Dr. Hilsman has written and studied extensively in this field; and, more importantly, he works at it on a day-to-day basis. We are indeed fortunate to have Dr. Hilsman return for his second lecture on this timely subject, "The Role of the Legislative Branch in National Affairs."

Dr. Hilsman, it's a pleasure to present you to the class of 1961 of the Industrial College.

DR. HILSMAN: Thank you very much.

General Mundy and members of the Industrial College: I am happy to be here.

I can't help making one point here and that is this: More important

than the work day by day, although it is important, is this: The trouble with the day-by-day work is that you can't see the woods for the trees. I think it's a heck of a lot more important that a man has consciously and deliberately moved away from his field and thought about it than to have merely lived it. I just can't resist this point. I think it's true.

My topic is "The Legislative Branch in National Affairs;" and, due to the limitation of time, I will focus on foreign policy and defense policy, since I think this is of more salient interest to you than, say, in domestic affairs. Let me give you my outline. I will look first at Congress, at what Congressmen are like, their internal organization a little bit, the sort of milieu and life they lead. And, second, I would like to advance a theory about the way policy is made in the town of Washington inside the Executive as well as in the Congress. And, finally, I would like to try to spell out some of the implications/ ^{for policy making} flowing from the nature of Congress and from the nature of this process by which policy is made.

Let's suppose, then, that you all are newcomers to Capitol Hill. What would you notice? Well, I think one of the first things you would notice is how well informed some Members of Congress are. In the Congress there is specialization. For almost every field of Government policy there are at least one or two Congressmen who are just as knowledgeable as any of the so-called experts.

And, after all, this is not really surprising. Congressmen have a very long tenure--not all Congressmen, but many. Certainly this is true of men who rise through the seniority system to be chairmen of one of the

important committees. They have been around a long time. They have been around a lot longer than most Secretaries and Assistant Secretaries in the Executive Branch. Here the tenure is one year, two years, eighteen months. I think in the Defense Department somebody did an average of all the Assistant Secretaries and Under Secretaries, and it came out to a little less than two years, considerably less, as a matter of fact. About eighteen months.

Now, this is not an awful long time for a manufacturer of soap to learn about strategy and weapons and all the complexities that you men are familiar with. But many Congressmen have been there for many years. They have seen generation after generation not only of Secretaries and Assistant Secretaries, but men like yourselves, coming up and briefing them on their particular problems. They hear missile briefings. They hear submarine briefings. They hear them all. So you can get in a Congressman who's got some tenure some pretty substantial collection of knowledge about the field, especially if you realize that they do specialize.

Vinson, for example, in naval affairs; Mike Mansfield in foreign policy; Fullbright, Symington; and Jackson in defense policy; and on the House side men like Chet Holafield or Bob Sykes, for example, from Florida, who is very interested in the Army. He's a Reserve officer. He knows the details of military programs, of manpower, of pay raises, pay scales in the military as intimately as I think anybody on the executive side, and probably more intimately than most of the top civilian appointees in the Defense Department.

Now, this specialization has its effect. Here you have the Congress, which is dealing with the whole range of national policy--water policy, agriculture, State, Defense, foreign policy, old-age security, medical care--an enormous range of subjects. Well, the way they get by, the way they get through, the amount of work they do get through is precisely by specialization.

This is done in two ways. One is the committee system, where by and large the substantive committees make the decision and the rest of Congress goes along with it. But this specialization is also informal, as I was suggesting.

I once had a House Member say: "Look. I come from a part of California where water is terribly important; and I have specialized on water, not only because it's important to my constituents and means reelection, but because it's important to me. I grew up in this area." He said: "I have become a specialist on water policy. When you get over to foreign policy, I respect and know Mike Mansfield. He was a House Member for a long time. I got to know him there. And even since he's gone over to the Senate, when I am not clear about something that I've got to vote on/ I go and have a talk with Mike Mansfield."

some of
This, by the way, explains the power of a man like Senator Mansfield. This is the power of expertise, the power of knowledge, and of having the respect of his other fellow Congressmen.

Well, you might also be startled as a newcomer to Capitol Hill to discover how quickly new ideas arrive up there. I was an ex Army officer

and university professor and I came to Capitol Hill and thought: "Well, the one thing I can do is maybe be a channel for a lot of ideas that are hidden around in the egghead communities." I found that most of the ideas were already there.

When you think about it, this is natural too. The Congress is a power center. It's a locus of power. Anyone who wants to accomplish something thinks of the Congress and goes to it. Just like the Presidency. I can remember many an anecdote of the President. I remember Roosevelt talking to Dewey, and when Dewey asked him: "Why do you keep this man, Harry Hopkins around?" and Roosevelt said: "Look. Some day you may be sitting at this desk; and when you do, you'll discover that every man that comes in that door wants something. He wants something from you or wants you to push the United States in a certain direction. It's very nice to have one guy who wants nothing but only wants to serve you."

men.

This is true of Congress. People come to them. They want things. They want to impress on them that it's terribly important that we have a Bomark rather than a Nike or something like this. This is a channel of intelligence and information for Congressmen. People come to them all the time trying to push them in certain directions, giving them arguments, information, and intelligence, and trying to persuade them in that direction.

So it's not surprising that new ideas arrive on Capitol Hill rather quickly. In effect every Congressman has a far-flung and very numerous intelligence network in terms of ordinary citizens, in terms of pressure groups, in terms of industries who want tariffs, who want to get something

done, in terms of ordinary citizens and in terms of bureaucrats. I use that word, by the way, in its inoffensive sense--bureaucratic.

Another characteristic that might impress someone who was new to Capitol Hill is the seriousness of Congressmen. It really is most impressive. There's a reputation, a sort of type of Congressman as being a political windbag. Congress is representative. There are all sorts of different kinds of people there, just as there are in the nation's population. They're apt and they're very able men there. But by and large most of them are serious and patriotic men.

This probably comes about partly because of their peculiar situation, of having been elected, and partly because they differ. Some of them believe in going in this direction and some believe in going in that direction. This has to be done in a political context. But most of them are serious and patriotic men. They're awfully hard workers. Their hours are very long. The Congressman himself is usually there by nine, and they frequently don't leave until eight, nine, or ten at night. They are always there on Saturday, and frequently on Sunday. They're a hard-working, serious, and conscientious bunch of men.

There are some awfully able men on Capitol Hill, contrary to the general stereotype. I've had three careers. I was a Regular Army officer. I've been a professor. I've been a civil servant. It has been my experience, as I think it will be with most of you all, that in any large organization there are about 10 or 15 percent of the people who are really the dynamic, the imaginative, the creative, the really able people. Then there comes a gap,

and the rest shade off. This is true of Congress, very true of Congress.

I once had a friend who had been both on Capitol Hill for a long time and a long time in the State Department on the policy planning staff. He said that this has been his experience. The only difference was, he wasn't so darn sure that the top 15 percent of Congress weren't a little more able than the top 15 percent in the State Department. This is no criticism of the State Department. What I'm trying to get at is that this stereotype of the Congressman, the popular image, is not very accurate.

They give the face of irresponsibility, but partly this is because of their political situation, and partly it is because of their work situation, have to As I said before, they cover the whole range of national policy. And, covering the whole range of national policy, they're just awfully busy. They have their constituents. If they're going to get reelected, they have to do things for them. They have to vote on water policy. They have to vote on something on foreign policy, on defense policy, day after day, very quickly. Very complicated subjects. They have to learn quickly. And then, if they are going to accomplish anything positive, which I'll come to a little later, it's even more work for them.

← So part of this image of irresponsibility comes from their very busyness, from the very extent and range of their responsibilities. Part of it is this.

The effect of this great range of responsibility, this unusual busyness, is that the congressional scene is frequently untidy. Partly this is also because of the fact that to get something done, you've got 500 and some odd

people with different ideas about where we ought to go, and there's endless debate and maneuvering trying to get them to agree on which way to go. So partly this irresponsibility is the result of trying to get a large number of people to agree on a complex policy.

The result, though, is that the congressional scene is untidy, as I said. Frequently things get only half done. A man picks something and then he's got to drag off and do something else. So it's uneven. They go in very deeply into some subjects, and other subjects they just pick the surface of. It's all the sort of milieu in which they live.

Now, another aspect that might impress the visitor to Congress in this field of foreign policy and defense policy is the freedom that Congressmen have. I want to make this point very briefly.

There's a general image, I think, in most Americans that Congressmen are not very free. The first part of this image concerns the party. They are Democratic or they are Republican, and they have to go along with the party. It may be true of the election, but it isn't very true of anything else. The President cannot control them very much. If they go against him on a particular policy, what can he do? Roosevelt tried a purge; tried to go out and persuade the electorate in different congressional districts not to return this man. It had the opposite effect in most cases. You know: "This is our district. You can't in Washington take care of the whole country. We'll take care of who our congressional representative is."

You have a lot of the image that a President can force a Congressman into line by building a postoffice in his particular district or refusing to build

it, or by going along with patronage or refusing to go along with patronage. This may have been true, very true, in the nineteenth century. It may have been a little more true than it is now in the depression. I would say it was probably a lot more true in the depression. But in a full-employment economy there isn't much that a President can do about this. If it's an office that requires confirmation, a Senator has as much power as the President. He can stop it by just exercising personal privilege. So there really isn't much of this. It isn't terribly important in its crude sense, of being able to force Congressmen into line by giving or withholding benefits in the line of patronage.

It is true in a very grand sense. Let me give you an example of that. It has very little to do with elections and a lot to do with the Congressman's convictions. For example, in the Marshall Plan days, when Congressman Judd, who is from Minnesota, was very insistent on a China aid program to go along with this. The Administration didn't want to do it. Well, finally a sort of price that the President had to pay to get the Marshall Plan was some sort of an aid program for China, not just for Judd, but for all the people that he was in effect the leader of. Now, there are very few Chinese constituents in Minnesota. So it isn't this crude thing, where Judd after, was/ you know, like a postoffice or a job. Judd believed in this kind of program. So you do get this kind of a bargaining, but it's on a policy level, on a very grand level.

So I would say that in terms of the party, a Congressman is freer to vote his convictions than most people imagine.

Again, in terms of foreign policy and defense policy, he is free or freer from his constituents and from pressure groups than most people probably imagine. In some aspects of defense policy a Congressman is not so free. But here again he's got to be careful. After all, ^{if he's} a man from Texas, where oil is an awfully important part of the economy, he isn't really subject to such crude pressure from the oil lobby. He's from Texas. He knows what's going to make Texas work. He doesn't have to be persuaded that government policy toward oil is going to affect the whole Texas economy.

But in foreign policy there is relatively little eagerness there. Most of the pressure groups in foreign policy are concerned with very small things. In the Marshall Plan you get the agricultural lobby trying to get special preference for wheat or for cotton. You get the shipping lobby wanting to get 50 percent shipped in U.S. bottoms.

← In another aspect of foreign policy the American Jewish organizations were interested in recognizing Israel. But except for some of these examples, there are relatively very few in which the pressure groups operate or have any real power. As a consequence, a Congressman is ^{pretty} free. He's also free from his constituents in this respect, in terms of foreign policy.

Now, certainly a southern Congressman is not going to be free to vote a liberal conviction on segregation, for example. But the balance of the population is not so deeply involved in foreign policy as all of this. Only about two or three percent of congressional mail is concerned with foreign policy issues.

I once heard a Senator from the Far West, a mountain State, say:

"Look. This issue of my freedom to vote my convictions, I come from a State where there are a lot of sheep grown, and they are interested in a high wool tariff. Also the basic population is against foreign aid. They don't understand it. They think it's a give-away. Now," he said, "if I voted against my constituents on both of these issues, I would have a hard time getting reelected. My own way of resolving that dilemma is this: I feel that if I vote for a high wool tariff, it will hurt Australia; but it isn't going to change Australia's foreign policy a great deal. It isn't going to demolish American foreign policy. On the other hand, if I vote against foreign aid, it might. So I vote against the wishes of my constituents on foreign aid, which I consider important for the national survival, and with them on wool tariff, which I don't think is vitally important." So, again, you see, a Congressman is freer to vote his convictions on foreign policy and defense policy than most of us might think..

Now, this freedom that they have to vote their convictions means that the Executive and the Congress are very often at loggerheads. This is also true because the Congressman has a different constituency, different needs, different personal needs, than the Executive. And it's just not always in the cards that you can chivvy and chase and herd the Congress around. There's a sort of built-in rivalry. And these relations between the Congress and the Executive are also affected by other considerations.

In a very real sense the Congress is the captive of the Executive, not in terms of crude pressure, but in terms of the flow of information. It's the Executive that has the overseas intelligence agencies. It's the

Executive that has the right to negotiate with foreign countries. It's the Executive that can present policy and policy alternatives in such a way as to structure the debate. It's very difficult for Congress to rephrase the structure of the debate. They have to go along with the kind of framework, the intellectual framework, you might say, that the Executive has given them. In other words, the Executive has what you might call the intellectual initiative in foreign policy and in defense policy.

The Congress can get information. Frequently in the Executive there are groups of officials who are discontented with the way that policy is going; and they find ways of letting Congressmen know this, either undercover ways or perfectly open ways, in hearings. But it doesn't help Congress to change the framework of debate. They can't really shift the whole direction of the Government very easily.

They remember such things as, for example, Roosevelt's destroyers for bases deal. Roosevelt was convinced that he couldn't get Congress to agree to this proposal that we give overage destroyers to Britain in exchange for bases over in the Caribbean. So he just did it anyway.

For example, Congress can't forget that under the Truman Administration they voted extra funds for the Air Force, and Truman simply impounded the money and refused to spend it. They can't forget that under the Eisenhower Administration they voted extra money for the Air Force, and Eisenhower merely scaled down his budget request for the next year. They have a hard time forcing their will on the Executive.

Now, this power of the Executive to conduct foreign policy and defense

policy without reference to Congress, or even to evade the express desires of Congress, is the cause for ill will and for distrust and suspicion. And the Congress is ever studious in trying to bind the Executive to its wishes, in trying to guard its own power. Much of the resistance to a five-year budget, for example, is precisely Congress' interest in guarding its own power. Though it can't hope to exercise detailed surveillance over the Executive, it's always going to try.

Now, this is an obvious thing. It was clearly in the minds of the founding fathers in their separation of powers. They built this into the system for reasons that seemed sufficient to them. It's something that has been commented on by every observer of the American scene since ^{de Toqueville in} 1834. But it isn't a completely satisfactory explanation of this sort of beehive of activity with people so busy in Washington trying to influence policy.

I come now to the theory that I said I would propose about the way that policy is made in this town.

For decisions on major policies, which I'm talking about now, policies which require sacrifice by the nation, that determine the nature of America ten years from now, it's more complex than can be explained by this separation of powers idea. You know, to most Americans it seems only reasonable that our policy be made in a very logical and rational way, with alternatives worked up by a neutral civil service or professional ^{officer} corps, this going up to a Chief of Staff or to a Planning Board at the NSC, discussion among the Secretaries, the approval of the President, the ^{law} going to Congress, then a very restrained debate on it, the passage of legislation following,

and then its going back to the Executive for implementation. We want to think of our Government's policy as being rational, dignified, and even majestically progressive and very logical.

The reality, of course, is quite different. There are charges and countercharges, leaks of top secret information, political wheelings and dealings, rumors of graft and corruption^{and} of political deals, of blocking, compromises, NCS papers that say we're going to do one thing; and when it comes down to budgets, we do something quite differently or don't follow it, NSC papers that are internally inconsistent. The reality is just quite different from this dignified and majestic progression. Where we would like to see order, there is tangle and turmoil. Where we would like to see logic and dignity there is confusion.

I think that the explanation of this is that politics is not confined to elections; that there is politics, the same sort of political struggle that you see going on on the floor of Congress going on inside the Executive departments, going on between the Air Force and the Navy, between the Air Force and the Army, going on between Defense and the State Department, going on within the State Department. There is this struggle over what policy shall be. It is a political process.

Now, what do I mean by a political process? I mean, first of all, that a political process arises in situations where there is a difference of opinion about goals, or a difference of opinion about the means that you shall use to achieve the goals. After all, none of us is absolutely certain that this particular means will accomplish that particular result. We don't have the kind

of political arguments as we have between two guys who are going to build a bridge where, you know, it's pretty well set. _____

← If you're going to raise the interest rate a half of one percent as a way of countering inflation, nobody is quite sure that it will have this result. There's a little difference.

But, even more important, what you are talking about when you talk about foreign policy and defense policy are goals. What kind of America do you want to see ten years from now? What kind of a world do you want this America to live in? This is what foreign policy and defense policy is really all about. And there are different opinions about the kind of America that you want to live in.

Some people like oatmeal and some people like rice cookies. There is no scientific basis for deciding that everybody should like oatmeal or everybody should like rice cookies. So what I mean by a political process, first, is that you're talking about values. You're talking about the kind of America you want to see, the kind of world you want to see.

The second thing I mean by political process is that there are different groups of people who are identified with these competing and conflicting values. And they don't always stay within institutional boundaries. In other words, these conflicting groups cut across the line between Congress and the Executive. You have a group of Congressmen allied informally with a group of people in the State Department and the White House who want to go in this direction, and another group of people in Congress allied with another group in the State Department who want to go in that direction. And

the struggle takes place not so much within institutional boundaries as it does between informal alignments. So the second thing I meant by political process is that there are groups of people identified with competing goals.

The third thing I mean by political process is that because we are talking about values, because we don't have any knowledge that is inadequate--our ability to predict what's going to happen if we start a Marshall Plan or do this or that is because this knowledge is inadequate--there are differences of opinion about this, and no objective criteria for deciding all these questions; and as a consequence, the third characteristic is that the power of these groups of people is as important to the decision as the cogency of their arguments and their logic and the appeals of the goals they're asking for.

So you have as a political process, first of all, competing goals, competing values; second of all, groups of people identified with these; third of all, that the power of these groups is important to the way the decision goes.

Now, one would expect out of this kind of system that there is conflict; that people are in conflict about the direction we should go. But, after all, there are a lot of values that they share. They are all Americans. They all want to see the nation survive. So, consequently, there is not only conflict, but accommodation, compromise, negotiation, and bargaining, a little give and take here to decide on what it is.

So you have both conflict and accommodation. In fact, I call it something a little more than just simply accommodation. I use a phrase

"consensus building." By this I mean that the people in town behave as if they're trying to build a consensus around the policy that they want. By negotiation, by bargaining, by compromise, they try to get a large number of people enlisted behind a certain policy.

I find this a useful approach in thinking about the activities of Congress and the rest of the people in town. For one thing, in looking at the way Congressmen behave, a lot of things that look ridiculous, or behavior that is even perverse, begins to acquire both reason and motive.

For example, when a Congressman wants to present a case for an alternative policy to the one the Executive is pursuing, I have made the point that he can't really exercise formal power. That is, he can't just refuse to do it or vote a law or vote money for this and that and expect the Executive to go along. The Executive frequently doesn't go along. So what the Congressman has to do to enlist support, not only in the mass public, but here in Washington--enlist support of the military, enlist support in the State Department, among the aides of the White House. This is the way he has to go about this thing.

Now, if this is what you have to do, then the way you present a policy is quite different from the way you present a policy among five experts, or two or three experts. It has to be dramatic. It has to be appealing. For example, a lot of observers of the American Government criticize us because things, public debate, is so simplified, they think. For example, a few years ago, you know, the argument was whether we would have 70 groups in the Air Force or 48. A lot of people said: "This is ridiculous. You might

have 59 or 60 or 61 or 62." Everybody talked as if there were only two possibilities--70 and 48--and this one had all the virtue and that one had all the evil and vice versa. If you are trying to enlist support over the whole of the town and also the general public, it's got to be simple, it's got to be dramatic. It serves the purposes of both sides of the argument that it be conducted as though it's only 70 and 48.

Another example. You remember the Symington air power hearings a couple of years ago. These were criticized on the ground that the question that was being asked was oversimplified. The question, as you know, was: Who's got the most airplanes--the Soviet Union or the United States? Everybody who understands strategic problems realizes that there are other factors ^{that} interest you. How good is the Soviet defensive? How good are civil defense measures? You might be much stronger than the Soviet Union and have fewer airplanes. I think Senator Symington was perfectly aware of this.

But look at his problem. If he went into these kinds of complexities, he had a hard time holding the attention of the wide audience whose support he was trying to enlist. He had to make it simple and dramatic.

He had to even more because of the unlucky circumstance, from his point of view, that the President of the United States also happened to be a five-star general. ^{to combat} So he had/an enormous prestige in the military area. About the only way he could do it was to just ask the question: Who's got more airplanes--the Soviets or we? If it turned out that it was the Soviets, then the burden of explaining this complexity to the mass of the public didn't

fall on Symington, but fell on Eisenhower, which made it a little tougher on Eisenhower.

if:

So the point is that you look at this policy-making process as a political process, where we're really talking about fundamentals, about the nature of our country, and the nature of the world; and you are doing it in front of large audiences, where you have to enlist a lot of support before you can hope to change the direction of Government policy. you begin to see that some of this somewhat perverse behavior on the part of Congressmen makes a little sense after all.

Notice, for example, they have a hard time getting a hand hold on defense policy. They are presented a massive budget, in which strategic choices are buried in a mass of purchase details and of pay scales and so on and so forth. It's very hard to get a hand grip on this thing. About the only thing you can do is talk about a missile gap, or talk about who's got the most air-planes. But you have to go through some form when the budget comes to you. So they end up, you know, just probing, hoping to find some inefficiency or even graft for whatever good that does. / They'll ask questions like, "Why did the Air Force overcoats cost more than the Army overcoats?" The reason for this is because they can't get a grip, can't get a hand hold, on the big defense issue in those circumstances. They're the watchdog. They have to get this hand hold on strategy in other ways, through a bigger appeal about the missile gap and things like this.

Notice also that if you think of this as a political process, it explains certain aspects of the behavior of executive officials that a lot of people

deplore. About every month or so somebody either gets up on Congress or some newspaperman writes an article or some foreign visitor criticizes the United States for all the leaks of top secret information. "My God, what a country," you know. "The American Government is the only ship of state that leaks from the top."

But you know and I know that most of the officials in the Government are not a bunch of blabbermouth, irresponsible people. Sure there are leaks, and there's almost always a political motive behind them. Let me give you an illustration here--a little case study which I think will illustrate a number of the points I have been making. I'm going to make several points in regard to leaks, in regard to political processes, and everything else.

We all know that there have been a lot of people unhappy with our defense policy. These people are by no sense confined to the Democrats and in no sense confined to one of the services or other of the services. There were a lot of high Republicans who were uneasy about our defense policy. They tried in a number of ways inside the Executive to reshape this. The Army, for example, in the intelligence community's estimates, tried to persuade other people in the intelligence community what the Army sincerely believes was that as a nuclear AMPAC came on an all-out war level, there would be more limited wars and need for a ground force. There were a couple of occasions in the last five or six years when the intelligence estimate actually made this point. The Army then went to the NSC, pointed to this intelligence estimate and said: "Look. These boys say we've got to have more ground forces. By implication they say we're going

to have more limited wars" and they use this to impeach their opponents in the NSC. Once they even wanted the NSC to launch a budget battle, which again, you see, is an example that sometimes NSC documents are internally inconsistent, or they say something which really isn't implemented, doesn't happen.

Well, in the Gaither Committee there were a lot of these people who were very high in both State and the White House and other places that thought that one way of attracting attention to it, one way of trying to persuade the people who were more concerned about spending than about the Soviet threat, was to get a Presidential commission. They failed. They tried several times to get a Presidential commission and failed.

Finally the civil defense people put in a proposal for a large civil defense program--about 20 billion dollars. You see, I want to make the point that everyone in here is sincere; that the debate about defense is not going to be whether we should be strong or shouldn't be strong. The debate is that some people are a little more worried about the dangers of Federal spending, and others are a little more worried about the military danger. Both are worried about the spending dangers and both are worried about the military danger. It's a question of emphasis.

bill,
Well, faced with this, a responsible guy who's worried about spending says: "Well, this is a horrible amount of money. On the other hand, maybe we ought to have it." So suddenly you have an agreement to have a Presidential commission.

The next battle takes place as to who shall be on the commission.

Both sides are not trying to present the issue so much. They're just trying to keep the other side from presenting the issue. So you try to get guys who are basically sympathetic with your point of view on it.

So the commission was appointed. There were some people on it who were very knowledgeable about the defense issue. They had been around for a long time. And they had some advisers, like Abe Lincoln, of West Point, and Paul Mitcham. There were some that were just intelligent, responsible men who had never looked at the defense issue.

They began their work. They worked for about five or six months. They had over a hundred consultants and advisers within and outside the Government. There wasn't a single leak. The only mention they gave the committee for about five or six months was one little thing in Alsop's column which said that Mr. Gaither was heading a committee doing something. No leaks at all. The leaks came later, and this is important.

As the summer wore on, it began to be clear to people who were more afraid of spending that these guys were really going overboard; that they were going to present a proposal which would be horrendously expensive; and these men thought to themselves that they were wrong; that they were going too far.

So the next battle, as many political battles are, was a procedural battle. The people who thought this group was going overboard said: "Look. There really ought not to be very many copies here." The other ones, who had been around Washington for a long time and knew what was in their minds, said: "But all of them will be top secret anyway. We've got to have

enough so that everybody who is interested will get a copy."

Well, the Gaither Committee won this battle, you see. But notice the importance of it. Nobody ever mentioned this. Everybody knew it. If this report is not accepted by the President, and not implemented, and there are only two copies of it, both marked top secret, it won't get out. It will not be used as a political weapon. On the other hand, if the President does not accept this report, and there are 200 copies, it will leak and it will be used as a political weapon.

It was not accepted in its entirety. And so it was a political weapon.

I want to reiterate this. There were no leaks until it was clear that the report would not be followed. And then sincere men leaked it because they felt that the President was making a mistake. They had tried through internal classified channels and they had failed. They were loyal to the President, but they were also loyal to what they believed was the way the United States ought to go. And in this moral dilemma they regarded the higher loyalty as not the President but the nation, in their view. It was their view that this was a higher loyalty, because they were so convinced of the correctness and the wisdom of the Gaither Committee. I don't want to make any judgment here. Either side could be right. I am trying to analyze the motives of the men involved. By and large this was an interbureau fight within the Administration. It was a grave and serious disagreement within the party on the direction that U.S. defense policy ought to go. I think this is terribly important. Partisan politics really has relatively little to do with the political process I am talking about.

Another illustration. For years in the Eisenhower Administration the biggest battles over policy took place between Stanton,[?] Nelson Rockefeller, and Nixon on the one side, and the four H's--Hoover, Secretary Humphrey, Hollister, and Hughes--Hughes was head of the budget; Hollister of ICA, and Humphrey Secretary of the Treasury, and Hoover Under Secretary of State. These were the battle lines. They were all Republicans and all good Republicans. But these were the battle lines and they were talking about the direction that U.S. policy should go.

Well, I want to button this up now by making a couple of points. The first point is that this debate that has been going on for years, and goes on on this stage and the one across the street, about the organization of our Government for national policy and so on--a number of people get off on the wrong foot about it. They criticize the NSC. You know, there was an article in the New York Times by a good friend of mine about, Is our policy made by ^a committee? Do you want our policy to be made by a committee?

There are a lot of people who stand up and say: "What this country needs is a single national policy, to which we can gear everything. We need a national strategy. Then everything will be simple, because we can put everything into it. We've got to reorganize this or reorganize that, or create an Assistant to the President for Foreign Affairs. Then everything will be all right," as if we were making automobiles, as if we were running a business, and everybody was agreed that we had only one goal--to make a profit.

You can do this. You can rationalize and make efficient and eliminate committees and have a hierarchy of decision and forget this orderly process if you've got a single goal, to which everybody is agreed. The trouble is, we don't have a single goal. The trouble is that there are differences of opinion about what this goal should be. There are competing goals and mutually incompatible goals.

The reason I think it's foolish to talk about reorganizing the Government as though it was all neatly packaged, in neat little squares on a chart, is precisely because we are talking about real fundamentals. We're talking about the nature of the United States, the nature of the world we want to live in; and there are differences of opinion about the kind of world we do want to live in. That is what I mean by political process. I think that the making of policy is ^a political process and I don't think we're going to reorganize politics out of existence.

The second and final point I'd like to make is, going back to the subject of Congress, is that this same desire for order and hierarchy and logic and rationality has led a lot of people to want to reorganize Congress, and abolish the seniority system, to change the nature of our political parties. Perhaps it's possible if we reconvene a constitutional convention and make a new Constitution. Perhaps it's possible to lessen the power of Congress, to reduce the power of congress. I would say that any sort of radical solution like this would be so disruptive to a nation under threat, as we are, it would take us so long to work out the new relationships, to know who has the power to do what and why, that it would divert us from our major task and

it might be fatal. I would argue that there is no radical solution.

I also would argue that there ought not to be. Right now, in foreign policy and defense policy, the power of the Presidency--and I say "Presidency", which is more than the man. It's an institution. It's an organization-- the power of the Presidency is very, very great. This is good in a way. It makes it possible to do things that might otherwise not be done. But there are some long-term risks involved in this.

If the President gets . misguided or misunderstands the nature of the world, I am uneasy now at the difficulty that the interested public and other interested officials now have in reaching him, in correcting him, in persuading him a little differently. If it went much more, if you took any more power away from Congress, you might be running into a really grave danger.

One can't offer any gimmicks. There are no pat solutions. But I think that if we all recognize the essential nature of the process, that it is political, that we're talking about goals, that there is a debate between sincere men who deeply differ, if we think in this way, think of it as a large-scale process, a communications process, and try to improve the process itself, try to find ways of getting the necessary information flowing more easily, of working up new relationships, maybe there might be some modest improvement.

But of this I can assure you: There will continue to be debate. There will continue to be differences of opinion. There will continue to be inconsistencies in NSC documents. There will continue to be gaps between what

the NSC documents say and what we actually do. In other words, gentlemen, as my final comment, politics will still be there.

CAPT. HYDE: Gentlemen, Dr. Hilsman is ready for your questions.

QUESTION: In connection with your analysis this morning, I wonder if you could give us some insight on the freedom to vote on foreign aid. You have indicated that Congressmen have a certain amount of freedom, but that generally speaking they vote on these major issues according to what they think will serve the nation as a whole. We have a situation here where not only the Chief Executive, but also the two Presidential candidates, apparently are in favor of continuing foreign aid. I wonder if you would tell us in your own frame of reference what happens. Or is it as simple as the Washington Post editorial, which suggests that the issue is a Patman-majority issue?

DR. HILSMAN: No. It isn't as simple as that. You have, first of all, in foreign aid a lot of people, like Mr. Patman, who are deeply convinced that we shouldn't have foreign aid, who regard it as a great give-away. You have a group of men who have always thought this. It may be somewhat that they project personal relationships into the international scene.

But something has happened to this foreign aid program over the last two years. This is a very serious thing. That is, you know, the Marshall Plan was a pretty big topic--your process by which aid translates itself into results. Here was an economy that was war damaged. There were bottlenecks. Somebody had to get it going. It was a rehabilitation program.

aid
But the military program and economic development are both considerably more subtle than this. In the military^{aid} program you have aid that is

essentially bolstering balance of payments. It's political aid--trying to keep the regime in power. And then you have economic development.

Well, what happened on Capitol Hill is--this happened in the academic profession and other places--is that people are just beginning to ask: "Look. If you put aid in now, and what you're hoping for is democracy ten years from now, there are just an awful lot of intermediate steps that have never been spelled out." They haven't been spelled out because nobody really knows what the process is.

We know, for example, that if you take a lot of areas like southern Italy, which is very bad off, and you start pouring aid in, it isn't always a direct correlation with democracy what happens. A lot of times these people get an appetite. They look up to the north, after they become a little bit aware, and they're not moving fast enough. So they become extremists, and it has the exact opposite effect.

I think that enough people like Senator Mansfield and others have doubts, sincere, intelligent doubts, about the intermediate steps between aid and democracy; and this is troubling them. They are just asking questions about the nature of the aid program. It's not really aid itself that they're worried about, but it's: "Is this the way we should be doing it? Are there other ways?" It's sincere, highly intelligent doubts. This is happening to economists in universities too. So that's one reason that aid has been a little more in trouble than it was before.

There is still another reason, which is a more short-term, ephemeral one. A lot of northern liberal Democrats are trying to work the

kind of pressure that I spoke about in terms of the China aid program and Mr. Judd. They're saying: "Look. This Administration wants an aid program very badly." But most of these Congressmen come from depressed areas of the United States and they're really saying: "We're for aid, but, by gosh, if you don't do something about our depressed areas, we're going to hit you where it hurts you most." They are using it in the form of pressures. Not to the extent, you know, of scrapping the whole aid program or anything like that, but to the extent of trying to put some pressure on the Administration.

Finally, let me say on the Washington Post thesis that here again it's perfectly true that chairmen of committees have great power. There's no question about this at all. But it's far from absolute. I remember Senator Eastland and Herbloc and Senator Eastland saying: "If you accuse me of killing this and bottling up this, believe me they're getting it out of my committee all the time over my head. I can't stop them." His image of himself is, not one of absolute power, but one of fighting with limited tools, with very mixed success, you know, given his goals. And, when you think about it, a chairman's power is really kind of limited.

Look at Mr. Patman. He's chairman of the subcommittee on appropriations for foreign aid programs. He really quite sincerely would like to see the whole thing scrapped, you know, no aid at all. He's never been able to get anywhere near that. The most he's been able to do is to set some margins. He knows that if he tried to scrap it, this would outrage so many Congressmen that they would find a way of ousting him from his

committee chairmanship. Or what they would do would be a device like this: They would make the foreign aid program so that not his committee but some other committee would handle it. And he knows it. And I'm sure that when he reads something like the Washington Post, he says: "My God, I wish I did have the kind of power that they say I do."

QUESTION: This problem that you are alluding to--these honest differences of opinion as to the way we should go--do you think this really blocks the actions that should be taken?

DR. HILSMAN: I wouldn't think so. But let me make one point, that doesn't destroy the point you are making.

The kind of process I have talked about really goes on in a dictatorship. After all, it's differences of who gets into the act. Mr. Hitler had the SS, he had the Army, and he had the party. There were some things that he probably wanted to do that he couldn't do because he was blocked.

That isn't true of Stalin and Khrushchev. He's got the party. He's got what we would call the Civil Service. It runs the whole economy--the managers, the planners, and all those people, the intelligentsia. He's got the military. Then they've got the Chinese Communists. There are all sorts of dissenting kinds of political processes.

The difference from the point of view of a democracy is that here more people get into the act. It's a lot more free. People don't end up in Siberia for having failed to shift properly in a certain direction.

But I would agree. I think it's part of the democratic process. A Stalin or a Khrushchev can make his country go in a direction with the support of

one or two relatively small groups. Our additional difficulties are because the President can't make our country go in a direction without the support and cooperation of rather large groups.

QUESTION: Sir, to what extent do you feel that these various high-powered committees that have been created during the last seven or eight years from congressional members and from people in the public^{life} have any effect at all on the Congress in the actions that they take?

DR. HILSMAN: Well, the Draper Committee, the Gaither Committee, and so forth--I think that one ought to look at these--the Randall Commission and so on--ought to look at them in the context of a political process.

I told you the story of the Gaither Committee. Here you had a combination where there was a very sincere desire to put a bunch of men together who were competent, able, and respected, look at the problem and furnish the President with some information. However, the President's attitude toward the Gaither Committee was strictly that. You know: "I want you guys to look at the problem and tell me what you think." Part of it was because this was a classified committee, and it was the people around the President in the different departments who were trying to use it in the political way I was talking about.

But let's look at the Draper Committee. I think it's pretty fair to say that the President really didn't think of the Draper Committee as coming up with any great new idea for our military aid program. What was in the President's mind was: "I'm going to have trouble with Congress this year. I'm going to get a lot of eminent citizens, with a lot of prestige, and they'll

come out with a big report, and through this I might sway a few votes in Congress. I might persuade enough people in the general public so that a few other Congressmen won't feel^{so}/free to vote against me on it." In other words, I think he thought of it as a club with which to beat Congress and to get public support.

So I would say that Presidential commissions have different motives. You are always talking at the margin. After all, Congress is a collection of a lot of different people, some of whom would not be persuaded at all by a Draper Committee. There are others who maybe have a lot of doubt and who would read the Draper Committee report, or have their staff members read it, and be persuaded by the arguments. There are others who would have a lot of doubt, but because a few influential citizens in their districts were persuaded by the Draper Committee report, might be switched. So there is no catagorical answer, and there's no Congress, there isn't any Congress, in the sense of a homogenous behaving one way or another. There are just Congressmen; that's all, with quite different motives.

I think the way to look at Presidential commissions is to look at them as part of a political process; that even when some parts of the people involved are looking at it, you know, like you'd hire an architect for expert advice, others are thinking: "Look. A committee of citizens like this is going to look at the military aid program. They're going to see the same facts we've seen. We can't think of an alternative policy that's as good as this. We're doubtful that open-minded and sincere men would figure out any

alternative. Obviously, you put them to work and they'll come up the same way that we are, and that's going to help us persuade other people that it's right."

QUESTION: What practical recommendation do you have for improving the flow of classified information to the Congress in order that they might more intelligently debate these issues on foreign policy or defense?

DR. HILSMAN: I think that the Congressmen have access, either publicly or through the established channels, to all the classified information they need for debate. I don't think that this problem is one of some people having some inside dope and other people not having some inside dope. This is a question of convictions and so on. I really don't think this is in the cards.

You are trying to decide a very technical question. Obviously, you know that if you're going to put this kind of warhead on a missile or that kind--Congress doesn't even get into this act, and you may depend on highly classified information.

There are certain things, probably decisions that you make, that depend on information from the Soviet Union that Congress doesn't have much access to. But even here I know of no instance--in fact, look at the U-2, the whole business behind it. There were Congressmen who knew this. In fact, almost every Congressman who was really deeply interested in defense policy or foreign policy knew that something like this was happening. They aren't going to get into the decision of whether you fly on May Day or don't fly on May Day--which is part of your troubles. They're not going

to get into that.

I don't think it's a question of classified information. I would say that if you are talking about improving the situation, first and foremost is the President's attitude toward his job, and the attitude of the mass of the people toward his job. We try to make the President a kind of a manager, you know, like running a business. The fact of the matter is, it really can't be done. I think that the President ought to concentrate on policy, in the sense of broad choices, not implementing them, you see, but the broad policy. After all, when it comes to implementing, you've got a pretty solid agreement on what we want to do. We're all responsible people. We'll carry it out. We'll get into difficulties when we seek agreement on some things. I think he ought to concentrate on policy--Where are we going? What goals do we want to have? I would give him a staff, a small ^{like a policy-planning staff,} staff, not to plan policy but to plan goals.

Then he ought to concentrate on politics in the sense, not of getting reelected, but in the sense of building a consensus among the people in Washington and the country at large on where we want to go. This guy has a platform that no one else in America has. He has prestige and influence that no one else in the free world has. If he addresses himself precisely to this persuasion, I think this would be good; and I think if our expectations of him were this, it would be good too.

I think that if all of us become more aware of nature's process, spend less time trying to figure out a new chart, a new way of relating boxes, and look at the process itself, I think there would be a net gain.

I think the military are in the forefront on this. The fact that you have things like this Industrial College and the War College and the things that you all are doing are good. I think the State Department ought to do more of it. If you look at the way that people who make policy have to use the press. They have to shape the content of things. They have to be acutely aware of public reaction to it, the way Dean Acheson used the press during the Marshall Plan debate--one of the neatest operations for building a consensus on policy that you could imagine. He used the press in a very sophisticated, politically sensitive way. This is the way it ought to be. And I think there is less of this in some of the civilian branches of the Government that there should be.

The military, by the way, has been rather subtle on this a couple of times. Look at the way that Ridgeway handled his retirement. This was a very sophisticated political operation. You know, he disagreed with the defense policy. He wrote a letter, which was sort of his last will and testament. He sent this down to the security boys and said, "Go over this with a fine-tooth comb." They did and gave it a clean bill of health. Then he sent it to Wilson. He intimated to the press, but, of course, it was a classified letter and he couldn't let it be known that he had sent such a letter. But he intimated it. He didn't give anybody a copy.

Well, Mr. Wilson made the politically inestimable--here you had a case where--you know, they are always talking about the civilian-military relations--this was a case where it was the civilians who were politically naive and the military who were sophisticated. Mr. Wilson slapped a "Secret" label on it.

The newspapers knew two things; one, there was such a letter; two,

it was not classified. That was all they needed to know. Wilson put the "Secret" label on it, so obviously the only motive he could have was because he didn't like what was in it, you know; not because it was classified. So they began to beat him. Pretty soon it kind of got through Wilson's head that he was going to suffer more politically by keeping this thing than letting it out. So he let it out with, you know, kind of a statement that it wasn't important anyway--then why did he put a "Secret" label on it?--but he didn't like the effect it was having, and he let it out.

I regard this as a highly sophisticated operation on the part of a military leader, who was deeply disturbed by the direction of defense policy, and who was in this terrible box, like you. "What are my loyalties to my country? What are my loyalties to my President?" I think he handled it very well. I think if Mr. Wilson had been as sophisticated politically as Mr. Ridgeway, the whole thing, the whole kind of interservice battle, would have been a lot easier, a lot better. In other words, in this case I think we ought to educate our Mr. Wilsons to the political process.

CAPT. HYDE: Dr. Hilsman, I know I speak for everyone here when I say that your lecture has been a dandy. You must certainly have done your home work very thoroughly on a day-to-day basis.

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