Political Theory of US foreign policy

How democratic should US foreign policy be?

Realists argue against democratic influence on foreign policy
- diplomacy requires expertise
- speed & secrecy are necessary

International politics is unlike domestic politics
- sovereignty v. anarchy
- military force underpins diplomacy

Government must protect the national interest
- not private or international interests
- all lobbies represent particular interests (sub-national or foreign)

Against Realism

Foreign policy can undermine liberty at home
- national interest v. public interest
- risk of “garrison state”

Value of Democratic Deliberation
- elite interest may be confused with public interest
- public is able to determine domestic policy best, so…

Theorizing Sovereign Powers

Hobbes: sovereignty is indivisible:
- either in one, all, or few (monarchy, democracy, aristocracy (republic))
- Hobbes favors monarchy

Locke distinguishes internal political authority from external political authority in principle.

Federative Power includes:

- War and Peace,
- Leagues and Alliances,
- all the Transactions, with all Persons and Communities without the Commonwealth,

While distinct, Lock argues that Federative power is in practice held by Executive, not Legislative or Judicial

Antecedent laws cannot govern foreign affairs

foreign policy requires “prudence”: practical wisdom or discretion
Treaty power is shared with the Senate under the Constitution (Article II, Section 2)

- “He shall have Power, by and with Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur;”

Hamilton in Feb. #75 makes a distinction between laws and sovereign acts

- treaties are not laws as the Legislative Power, or Congress makes laws, but contracts between sovereigns
- treaties for Hamilton lie between law and executive actions
- they “have the force of law but derive it from obligations of good faith.”
President makes treaties with Advice and Consent of the Senate.

- not an exclusive action by the president; consultation was understood to be part of the process
- Jay in #64 mentions that the president may convene the Senate to get advice and consent during negotiations
- In #75, Hamilton refers to “progressive stages of treaty”

Secrecy and Dispatch

- Hamilton and Jay both refer to the need for intelligence;
- In Jay #64: secrets may be given by foreign agents; agents might not trust the Senate, but would trust a president. Gives the negotiator an advantage
- Jay also stresses the need for quick action – dispatch – that may be needed; negotiations by Senate alone might take too long.
- Hamilton argues that President alone cannot be trusted; may be tempted by private gain
- The members of the House will lack the skill and speed