

# The United States Congress and the Peruvian Revolution, 1968-1975<sup>28</sup>

Norberto Barreto Velázquez  
*Universidad del Pacífico, Peru*

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**Abstract:** The expropriation of U.S. companies —such as the International Petroleum Company— has been signaled in historiography as a decisive factor in determining the stance of the U.S. government towards Peru’s military regime. This study shows that Congressional motivations were rather of a political nature, associated with the seizure of U.S. fishing vessels within the 200 nautical miles of territorial waters claimed by Peru. Moreover, the policies implemented by Peru’s military government were used by a group of congressmen to advance their own agendas, criticizing U.S. foreign policy at a moment of conflict of powers between the Executive and the Congress.

**Keywords:** *Thesaurus: Peru; United States; economic aid; territorial waters; fishing rights. Author’s keywords: expropriation.*

## El Congreso de Estados Unidos y la revolución peruana, 1968-1975

**Resumen:** La expropiación de empresas estadounidenses —como la International Petroleum Company— ha sido señalada por la historiografía como el factor que determinó la posición del gobierno estadounidense frente al régimen militar peruano. Esta investigación demuestra que en el caso del Congreso, son más bien razones políticas, asociadas a la captura de pesqueros estadounidenses dentro de las 200 millas náuticas reclamadas por el Perú, las que influyen en los legisladores estadounidenses. Además, las políticas implementadas por el gobierno militar peruano fueron utilizadas por un grupo de congresistas para adelantar sus propias agendas, criticando la política exterior estadounidense en un momento de conflicto de poderes entre el Ejecutivo y el Congreso.

**Palabras claves:** *Thesaurus: Perú; Estados Unidos; ayuda económica; aguas territoriales; derecho de pesca. Palabras clave autor: expropiación.*

## O Congresso dos Estados Unidos e a revolução peruana, 1968-1975

**Resumo:** a expropriação de empresas estadunidenses —como a *International Petroleum Company*— tem sido sinalizada pela historiografia como o fator que determinou a atitude do governo dos Estados Unidos da América ante o regime militar peruano. Esta pesquisa demonstra que no caso do Congresso são, principalmente, razões políticas associadas à captura de pesqueiros dos EUA dentro das 200 milhas náuticas reivindicadas pelo Peru que influenciam os legisladores estadunidenses. Além disso, as ações do governo militar peruano foram utilizadas por um grupo de legisladores para anteciparem suas agendas, criticando a política exterior estadunidense em um momento de conflito de poderes.

**Palavras-chave:** *Estados Unidos da América; Peru. Palavras-chave do autor: expropriação; águas territoriais; ajuda econômica; direito de pesca.*

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## Introduction

On October 3, 1968, the armed forces of Peru overthrew the country's president, Fernando Belaúnde Terry, launching one of the most interesting socio-economic experiments in contemporary Latin American history. Six days later, the new president of Peru, Division General Juan Velasco Alvarado, delivered a historic speech announcing the nationalization of the oil resources controlled by the International Petroleum Company (IPC). In his message, General Velasco Alvarado represented the IPC nationalization as an act of affirmation of national sovereignty. The IPC—a subsidiary of the Standard Oil Company, an important and influential U.S. corporation—arrived in Peru at the beginning of the 20th century. The relations between the IPC and the Peruvian government had been tinted with controversy since long before 1968. The debate regarding the legality of IPC's exploitation rights, government claims for overdue and undervalued tax payments, and an arrogant stance—regarded as an IPC trademark among the Peruvian public—brewed a strong nationalistic sentiment which eventually elicited Velasco Alvarado's discourse. The Belaúnde regime tried in vain to strike an agreement with IPC officials, who were supported by the U.S. government. The failure to fix matters with the IPC was one of the causes leading to the 1968 coup. In this context, it came as no surprise that one of the Peruvian generals' first moves was to nationalize IPC to reaffirm national sovereignty and pride. Their actions—and self-presentation as protectors of national sovereignty—served to legitimize the new regime. The military government thus started out with a nationalistic gesture that foreshadowed a confrontation with U.S. authorities, who had historically defended the IPC's interests.

During its most radical phase (1968-1975), the Revolutionary Government of the Armed Forces (RGAF) implemented important policies and reforms, notably: expropriating several U.S. corporations (W.R. Grace and Cerro de Pasco, in addition to IPC); seeking to realign the Inter-American diplomatic order established by the postwar Rio de Janeiro Treaty; openly lobbying for termination of the embargo on Cuba; defending the recognition of Peru's 200-mile maritime boundary; and establishing diplomatic and trade relations with several communist bloc countries. The Peruvian government also participated actively in the Non-Aligned Movement (NAM), purchased hundreds of millions of dollars worth of Soviet weapons, implemented a land reform, and set in motion an aggressive economic program marked by nationalistic overtones seeking to promote Peru's development and self-sufficiency. Along these lines, the military government adopted an anti-imperialist discourse, which, together with its economic, political, and diplomatic policies, provoked an unprecedented confrontation with the U.S. government. Cynthia McClintock and Fabián T. Vallas indicate that “the military government represented a greater threat to U.S. interests than the Allende regime in Chile,” considering the close relationship between the Peruvian armed forces and their Soviet counterparts.<sup>1</sup> While the validity of this assertion is debatable, there is no doubt that the Peruvian military government became a matter of great concern to U.S. authorities.

Even though the RGAF has attracted the attention of several Peruvian and international researchers, they have focused on the analysis of domestic socio-economic and political subjects, but less on diplomatic and international issues, in particular the interaction between the Peruvian military and the U.S. government. The few who have overcome this limitation have focused on the

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1 Cynthia McClintock and Fabián T. Vallas, *La democracia negociada: las relaciones Perú-Estados Unidos (1980-2000)* (Lima: Instituto de Estudios Peruanos, 2005), 62-63.

military government's relations with traditional U.S. foreign affairs institutions (the Presidency, the State Department, etc.), but not on the role of the U.S. Congress in the unfolding of events. Peruvian academia has not paid due attention to U.S.-Peru bilateral relations, with most books on the subject having been written by U.S. researchers.<sup>2</sup> This does not imply that the relations between the two countries have been totally excluded from the scope of interest of Peruvian researchers; but, while some of them have studied U.S.-Peru bilateral relations from different viewpoints, a number of issues have largely been ignored.<sup>3</sup>

This article seeks to contribute to the study of U.S.-Peru relations by assessing the role of the U.S. Congress—a key institution in the U.S. political system—during one of the most heated periods in the history of relations between the two countries: the RGAF. Along these lines, I seek to answer three central questions. First, how did members of the U.S. Congress discuss, interpret, and react to the policies implemented by the RGAF? Second, how did they represent Peru's military government? Third, in what way did the RGAF contribute to shaping the role of the U.S. Congress in designing U.S. foreign policy?

Congress has played a key role in the development of U.S. foreign policy through the powers bestowed on it by the U.S. Constitution.<sup>4</sup> The most important of these is the power to approve funding; i.e., Congress decides how the U.S. government should use its resources. Another is the power to approve treaties. In the U.S. political system, the President negotiates international agreements for later ratification by at least two-thirds of the Senate. The Constitution also recognizes the power of Congress to supervise and assess U.S. foreign policy. Congress takes part

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2 See: Richard J. Walter, *Peru and the United States, 1960-1975: How Their Ambassadors Managed Foreign Relations in a Turbulent Era* (University Park: Pennsylvania State University Press, 2010); Lawrence A. Clayton, *Peru and the United States: The Condor and the Eagle* (Athens: University of Georgia Press, 1999); Sewall H. Menzel, *Fire in the Andes: U. S. Foreign Policy and Cocaine Politics in Bolivia and Peru* (Lanham: University Press of America, 1996); Fredrick B. Pike, *The United States and the Andean Republics: Peru, Bolivia, and Ecuador* (Cambridge: Harvard University Press, 1977); Daniel A. Sharp, ed., *U.S. Foreign Policy and Peru* (Austin: University of Texas Press, 1972); James C. Carey, *Peru and the United States, 1900-1962* (Notre Dame: University of Notre Dame Press, 1964). A notable exception is the abovementioned book by Cynthia McClintock and Fabián T. Vallas, published originally in 2003 as *The United States and Peru: Cooperation at a Cost* (New York: Routledge).

3 Recent works include Michel Laguerre Kleiman's book on the development of a Peruvian navy during the second government of Augusto B. Leguía; Paulo C. Contreras' PhD thesis on Belaúnde's first presidency; Silvio Rendón's book on U.S. interventionism in Peru; an assessment of U.S.-Peru relations in the 1990s and the 2000s by Beatriz Ramacciotti and María Méndez, and Gonzalo Romero Somner's Master's dissertation on the 1963-1973 period. Michel Laguerre Kleiman, *El Oncenio y el desarrollo de la armada peruana (1919-1930)* (Lima: Dirección de Intereses Marinos, 2015); Silvio Rendón, *La intervención de los Estados Unidos en el Perú: desde el proyecto del protectorado hasta los Wikileaks* (Lima: Editorial Sur, 2013); Beatriz Ramacciotti and María Méndez, "Las relaciones entre Perú y Estados Unidos: dos décadas de asociación convergente," in *Veinte años de política exterior peruana 1991-2011: libro homenaje por el vigésimo aniversario del Instituto de Estudios Internacionales (IDEI) de la Pontificia Universidad Católica del Perú* (Lima: Fondo Editorial Pontificia Universidad Católica del Perú, 2012), 96-139; Paulo C. Contreras, "Struggles of Modernization: Peru and the United States, 1961-1968" (PhD dissertation, University of Connecticut, 2010); and Gonzalo Romero Sommer, "Una amistad con enmiendas: las relaciones Perú-Estados Unidos 1963-1974" (Master's thesis, Pontificia Universidad Católica del Perú, 2008).

4 Congress is divided into two chambers: the Senate and the House of Representatives. The U.S. Constitution bestows direct powers on foreign policy only to the Senate, as it is the legislative body that confirms the appointment of the President and ratifies international agreements signed by the U.S. The House of Representatives has fewer direct powers, but still plays a key role in assigning and approving funding. Hubert H. Humphrey, "The Senate in Foreign Policy." *Foreign Affairs* 37, n.º 4 (1959): 527-530.

in shaping foreign policy by approving legislative limits on presidential powers. Unfortunately, Congress does not receive a degree of attention in the study of U.S.-Latin American relations proportional to its relevance and influence. Presidential decisions are usually prioritized in historical studies and the influence of Congress, while not totally absent, is not given due importance.<sup>5</sup>

This problem is not exclusive to U.S.-Latin American relations. In an article published in 2000, Julian E. Zelizer, a prominent researcher of Congress, underscored the insufficient attention paid to it by historians. Zelizer stresses that, in addition to minimizing its importance and influence, historians have confined themselves to explaining the stance and policies of members of Congress in political, ideological, and/or regional terms. As a result, they have reduced members of the U.S. Congress to the status of “provincial politicians concerned exclusively with securing support from voters in their constituencies” and lost sight of the fact that their policies have also been determined by cultural, racial, ideological, and social considerations.<sup>6</sup> Although in a more recent work Zelizer recognizes that some progress has been made in the U.S. regarding the historic study of Congress during the last 15 years, especially through the work of Gary Stone, Robert D. Johnson, and Paul C. Milazzo, he complains that it continues to be largely uncharted territory.<sup>7</sup>

This essay focuses on 1968-1975, widely considered to be the RGAF’s most radical period. Based on an examination of the U.S. Congressional Record, I will show, first, that the conflict provoked by the 200-mile declaration —especially the seizure of U.S. fishing vessels by the Peruvian navy— rather than the IPC expropriation was the most hotly debated issue in the U.S. Congress —and the one that elicited the harshest reactions. While the IPC nationalization did indeed attract attention, the 200-mile issue was placed higher on the Congressional agenda for political reasons. Second, several Congress members used the RGAF’s policies to advance their own political and ideological agendas, looking to enhance their weight and influence in the creation of U.S. foreign policy. They mainly concentrated their attacks on certain elements of U.S. foreign policy like economic aid, arms sales, and support for Latin American dictatorships and military forces.

## 1. Congress and the Cold War

Before discussing the relations between the U.S. Congress and the RGAF, it is necessary to understand the former’s role in developing U.S. foreign policy during the first few decades of the Cold War. U.S. historian Robert David Johnson argues that, contrary to general belief, Congress played a crucial role during the initial Cold War years. Senators Arthur H. Vandenberg (R-Michigan) and Henry Cabot Lodge, Jr. (R-Massachusetts) —dubbed the “Internationalist Republicans”— played a central role in U.S. foreign policy issues in 1945-1949. Bipartisanship —a key feature of the era— collapsed in the face of the events of 1949-1950: the “loss” of China; the Soviet atomic bomb; the accusations of

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5 In an essay published in June 2014, Canadian historian Asa McKercher mentions the scarce attention paid to Congress by researchers of U.S.-Cuban relations during the early years of the Cuban revolution. Asa McKercher, “Steamed Up: Domestic Politics, Congress, and Cuba.” *Diplomatic History* 38, n.º 3 (2014): 599-600, doi: <https://doi.org/10.1093/dh/dht101>

6 Julian E. Zelizer, “Introduction to Roundtable.” *Social Sciences History* 24, n.º 2 (2000): 307-316, doi: <https://doi.org/10.1017/S0145553200010142>

7 Julian E. Zelizer, “‘Congress Dissents’ Review of Gary Stone, *Elites for Peace: The Senate and the Vietnam War, 1964-1968*. Knoxville: University of Tennessee Press, 2007, 302 pp.” *Diplomatic History* 32, n.º 4 (2008): 661-663, doi: <https://doi.org/10.1111/j.1467-7709.2008.00721.x>

Senator Joseph P. McCarthy (R-Wisconsin) about communist infiltration in the State Department; the passage of the McCarran Internal Security Act; and especially the Korean War. The main internationalist Republicans left the scene (Vandenberg died in 1951 and Lodge lost his seat in Congress in 1952) and a more radical view emerged, led by “revisionists” like Senators McCarthy, Patrick A. McCarran (D-Nevada), and John W. Bricker (R-Ohio). The latter formed a powerful trio that linked the idea of enhancing Congressional power with a conservative international agenda. When their power collapsed eventually, according to Johnson, the most important postwar critics of the decline of Congressional power disappeared.<sup>8</sup>

However, in the 1960s Congress recovered its influence in shaping U.S. foreign policy. A key element in the process was the issue of economic aid, then at the center of the criticism of U.S. foreign policy. The first important U.S. economic aid program was the Marshall Plan. Created in the framework of the 1948 Economic Cooperation Act, the Marshall Plan provided European countries with financial assistance after WWII. Three years later, Congress approved the Mutual Security Act, which unified economic-military aid and technical assistance. In 1961, Congress approved the Foreign Assistance Act, which separated military from civil aid. The U.S. Agency for International Development (USAID) was created to manage economic aid programs.<sup>9</sup>

During the first postwar years the main opponents of foreign aid were conservatives concerned with the cost of possible assistance to center-left governments. However, a bipartisan coalition of northern Democrats and moderate Republicans secured the survival of the program.<sup>10</sup> In the early 1960s, the program came under attack from the so-called “liberal dissidents”: Frank Church (D-Idaho), Wayne Morse (D-Oregon), Albert Gore (D-Tennessee), Ernest R. Gruening (D-Alaska), and George McGovern (D-South Dakota). In particular, they criticized the assistance provided to dictatorships just for being anti-communist, and proposed amendments to ban economic aid to governments not elected by democratic means. The emergence of the “liberal dissidents” occurred in the context of the counter-insurgency programs and the Alliance for Progress promoted by President John F. Kennedy, which called for a considerable increase in economic and military aid. Unfortunately for Kennedy, a “foreign aid revolt” began in 1963. Under the leadership of conservative Congressman Otto E. Passman (D-Louisiana) and the “liberal dissidents,” Congress blocked the economic aid package advocated by the Kennedy administration and introduced several amendments to limit the provision of assistance. According to Johnson, this congressional victory paved the way for a new era in Executive-Congress relations.<sup>11</sup>

The Vietnam War was another important factor in the renewed role of Congress in the design and debate of U.S. foreign policy. A growing Congressional dissidence criticized U.S. participation in the Indochina wars. For these Congress members, the Cold War had led the U.S. government to support dictatorships allegedly in the name of strategic interests and at the expense of traditional American ideals. In particular, they criticized U.S. reliance on military solutions to problems that

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8 McCarthy was censured by the Senate in December 1954. McCarran died in the same year.

9 The United States Agency for International Development, “A History of Foreign Assistance,” April 3, 2002, 1-3, <[http://pdf.usaid.gov/pdf\\_docs/Pnacp064.pdf](http://pdf.usaid.gov/pdf_docs/Pnacp064.pdf)>.

10 Robert David Johnson, *Congress and the Cold War* (Cambridge: Cambridge University Press, 2006), xviii.

11 Johnson, *Congress and the Cold War*, 104.

were clearly political. The process resulted in a marked polarization, especially within the Senate, where issues like military aid and nuclear weapons came under considerable questioning.<sup>12</sup>

In the early 1970s, Congressional support for the President's unilateral decisions and the assumptions on which they were based weakened considerably in connection with the Vietnam War, the Sino-Soviet split, skepticism about the contention policy, and the impact of the Water-gate scandal. In consequence, the "internationalist" Congressmen provoked a "Congressional revolt against the anti-Communist ethos of the Cold War and executive foreign policy".<sup>13</sup> It is in this context of Congressional rebellion that the RGAF came to power and developed its most controversial policies. Like the "revisionists" of the initial Cold War years, the "new internationalists" eventually lost their political and ideological clout. However, they were able to institutionalize their agenda by passing legislation like the 1973 War Powers Act, which limited the President's power to send troops to control hostile situations.

## 2. Reactions to the Coup

Only two Congressmen reacted to the coup that ousted President Belaúnde. The first one was Ernest Gruening (D-Alaska), who addressed the Senate on October 3, 1968 to denounce the overthrow of Peru's democratically elected President. Gruening became a Senator in 1959 at 71, after a long liberal and anti-imperialist track record.<sup>14</sup> His election was part of a process of change in the composition of the Senate, which strengthened the wing favoring greater Congressional intervention in designing U.S. foreign policy. According to Johnson, Gruening was an example of the changes taking place in the Senate, as he openly pressed for a greater role of Congress in foreign policy issues.<sup>15</sup> Gruening interpreted the coup as an example of the failure of U.S. foreign policy. Belaúnde's ousting was not the result of domestic factors, but of the militaristic drive promoted by U.S. military aid to Latin American governments.<sup>16</sup> Driven by this approach, Gruening became the first of several Congressmen who used the policies implemented by the RGAF to attack and question U.S. foreign policy over the following seven years.

Senator Ralph W. Yarborough (D-Texas) also reacted to the military coup against Belaúnde, reading it as a victory of Latin American élites against a reformist democrat. Yarborough advised caution to the State Department regarding the recognition of the new Peruvian government.<sup>17</sup> Both proposed suspending economic aid to Peru as a precautionary measure — a topic that was to become recurrent in Congressional discussions about the RGAF. Neither of them linked the

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12 Johnson, *Congress and the Cold War*, xix.

13 Johnson, *Congress and the Cold War*, xxi.

14 Gruening was born in New York on February 6, 1887. He was editor of the liberal journal *The Nation* (1920-1923) and the daily *New York Post* (1932-1933). In 1934 he joined the New Deal as Director of the Division of Insular Territories and Possessions of the Department of the Interior. In 1939-1953 he was Governor of Alaska. He was elected Senator in 1958 and served in that capacity until 1969. He died in Washington, D. C. on June 26, 1974. Biographical Directory of the United States Congress, "GRUENING, Ernest Henry, (1887-1974)", <<http://bioguide.congress.gov/scripts/biodisplay.pl?index=G000508>>.

15 Johnson, *Congress and the Cold War*, 76.

16 "90<sup>th</sup> Congress, 2nd session, October 4, 1968," in *Congressional Record. Proceedings and Debates of the 90<sup>th</sup> Congress Second Session*, vol. 114, part 22 (Washington: United States Government Printing Office, 1968), 29310.

17 "90<sup>th</sup> Congress, 2nd session, October 4, 1968," 29637-29639.



coup to the IPC issue, although Yarborough introduced in the Congressional Record an article where *Washington Post* journalist John Goshko mentioned it.<sup>18</sup> In 1968-1975, the representation of the RGAF in Congress experienced an interesting evolution. During its first two years, it was described as a militaristic, fascist, nationalist government.<sup>19</sup> In spite of the policies it implemented, it was not accused of being a leftist government, and Senator Frank B. Morse (R-Massachusetts) actually denied it was a communist regime.<sup>20</sup>

While in 1971 Congressman Robert L. Leggett (D-California) accused it of being a left-wing regime, the harshest representation of the RGAF came only in 1975. That year, Representative Lawrence P. McDonald (D-Georgia) launched a campaign against the RGAF, accusing it of being Marxist and pro-Soviet.<sup>21</sup> McDonald's objective was to counter a State Department decision to block used military equipment sales to the Chilean military regime. The Congressman reminded his colleagues that the Chilean government was an old and loyal friend of the U.S., which had obliterated the Allende Marxist threat. McDonald lashed out at the U.S. press for attacking the Chilean military government and ignoring the anti-U.S., revolutionary, Marxist, and pro-Soviet Peruvian regime. He emphasized that the Peruvian armed forces had increased their military power through purchases of Soviet weapons with a double objective: that of repressing their own people and invading Chile. McDonald criticized the U.S. government for limiting the defensive capacity of Latin America's most anti-communist and pro-U.S. regime.<sup>22</sup>

How to explain this frontal attack against the RGAF just as its most radical phase was coming to an end? McDonald reacted to Congressional measures against the government of Augusto Pinochet. In 1974, the Nixon administration requested Congress to approve 85 million dollars in aid to Chile —of which 20 million were earmarked for military spending. Unfortunately for Pinochet, the Senate rejected the initiative due to concerns about human rights violations. In 1976, Congress approved an embargo on arms sales to Chile at the initiative of Senator Edward Kennedy (D-Massachusetts). Termination of the embargo was conditional on Congressional certification of the end of human rights violations in Chile.<sup>23</sup> McDonald was reputedly one of the most furious anti-communists in Congress, hence his attacks against the Peruvian military and leftist regime to defend a regime

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18 John M. Goshko, "Peruvian Regime Ousted - Troops Send President Out of Country," *The Washington Post*, October 4, 1968.

19 Senator Stephen M. Young (D-Ohio), "91st Congress, 1st session, February 7, 1969," in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 3 (Washington: United States Government Printing Office, 1969), 3190; and "91st Congress, 2nd session, November 23, 1970," in *Congressional Record. Proceedings and Debates of the 91st Congress Second Session*, vol. 116, part 28 (Washington: United States Government Printing Office, 1970), 38462; Benjamin S. Rosenthal (D-NY), "91st Congress, 2nd session, June 17, 1970," in *Congressional Record. Proceedings and Debates of the 91st Congress Second Session*, vol. 116, part 15 (Washington: United States Government Printing Office, 1970), 20294.

20 "91st Congress, 1st session, August 13, 1969," in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 17 (Washington: United States Government Printing Office, 1969), 23840.

21 "94th Congress, 1st session, May 19, June 13, September 18, November 18 and 20, December 11 and 17, 1975," in *Congressional Record. Proceedings and Debates of the 94th Congress First Session* (Washington: United States Government Printing Office, 1975), which correspond respectively to the above listed dates vol. 121, part 12; vol. 121, part 14; vol. 121, part 23; vol. 121, part 29; vol. 121, part 31; vol. 121, part 32.

22 "94th Congress, 1st session, May 19, 1975," 15069.

23 John R. Bawden, "Cutting Off the Dictator: The United States Arms Embargo on Pinochet Regime, 1974-1988," *Journal of Latin American Studies* 45, n.º 3 (2013): 524-526, doi: <https://doi.org/10.1017/S0022216X13000783>

he considered foolproof anti-communist and, therefore, deserving of full U.S. support.<sup>24</sup> In other words, McDonald's reaction was ideologically motivated, and it provides a robust example of how some Congressmen used the RGAF to advance their personal agendas.

### 3. The IPC Expropriation

Historian Richard J. Walter points out that the Nixon administration's reaction to the RGAF was not much different from the Johnson administration's stance towards Belaúnde. The Nixon administration reacted to Velasco's expropriations by withholding economic aid and blocking loans by multilateral agencies. Like Johnson, Nixon enforced decisions while officially denying them. Despite provocations, the Nixon administration kept a restrained stance. Since 1970, the RGAF benefited from the fact that Nixon and his National Security Advisor, Henry Kissinger, focused on Salvador Allende's Chile.<sup>25</sup> In 1974, the U.S. and Peru reached a deal on the payment of an indemnity for the companies nationalized by the RGAF. As explained below, the U.S. Congress showed less tolerance towards the RGAF.

Congress did not react immediately to the IPC expropriation. The first Congressman to do so was Senator Clifford P. Hansen (R-Wyoming) on October 11, 1968. He used the expropriation to justify his draft law (S. 4190) for promoting domestic production of shale oil. Hansen advocated a more aggressive policy regarding the exploitation of national energy resources. He considered it important to reduce oil imports, as they were subject to contingencies such as unilateral revisions of contracts and the expropriation of U.S. oil companies, as had just happened in Peru.<sup>26</sup> Hansen, a Senator from an oil state, was more concerned about advancing the interests of domestic oil producers than attacking the IPC expropriation — which he used for political purposes.<sup>27</sup> Hansen was not the only Congressman to react to the IPC expropriation. Two tendencies can be identified: those who adopted a hard stance and sought to force the RGAF to compensate the IPC; and those who assumed a more tolerant attitude. The latter, with some liberal dissidents among them, used the issue to criticize key elements of U.S. foreign policy, especially towards Latin America. Those who criticized the expropriation favored the application of the Hickenlooper amendment. Proposed by Senator Bourke Hickenlooper (R-Iowa), this amendment to the Foreign Assistance Act of 1962 authorized the President to suspend economic aid to any country that expropriated U.S. property and did not compensate the owners within six months. Frances X. Hogan argues that it

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24 McDonald was one of the victims on a Korean Airlines aircraft shot down by Soviet air defense forces in 1983. His presence on that flight has been used to explain the Soviet decision to take military action, as it has been argued, perhaps in an exaggerated manner, that the Soviet Union wanted to eliminate its greatest enemy in Congress. Christian Gomez, "Larry McDonald - An American Hero Remembered," *The New American*, September 1, 2010, <<https://www.thenewamerican.com/culture/history/item/4787-larry-mcdonald-an-american-hero-remembered>>; "Remembering Larry McDonald: the Distinguished Congressman and Chairman of the John Birch Society was An Effective and Implacable Foe of Communism and International Terrorism," *The New American*, September 8, 2003, <<https://www.thefreelibrary.com/Remembering+Larry+McDonald%3A+the+distinguished+congressman+and...-a0108277196>>.

25 Walter, *Peru and the United States*, 309.

26 "90<sup>th</sup> Congress, 2nd session, October 11, 1968," in *Congressional Record. Proceedings and Debates of the 90<sup>th</sup> Congress Second Session*, vol. 114, part 24 (Washington: United States Government Printing Office, 1968), 30844.

27 On the importance of oil in the history of Wyoming, see chapter 9 of U.S. historian Phil Roberts' digital book *A New History of Wyoming* (n./c.: n./p., n./y.), <[http://www.uwyo.edu/robertshistory/history\\_of\\_oil\\_in\\_wyoming.htm](http://www.uwyo.edu/robertshistory/history_of_oil_in_wyoming.htm)>.



was approved in response to the expropriation of properties belonging to the International Telephone Company in Brazil.<sup>28</sup> Its objective was to protect U.S. citizens from arbitrary expropriations.

One of the Congressmen who favored the application of the Hickenlooper instrument was Senator Russell B. Long (D-Louisiana), who at the end of January 1969 proposed to eliminate Presidential discretion in the application of the amendment in order to make it mandatory. In Long's view, the IPC expropriation was an arbitrary act that exposed the vulnerability of U.S. oil companies. Like Hansen, Long used the opportunity to promote domestic oil production over oil imports. While recognizing that imported oil was cheaper, he argued that imports left the U.S. vulnerable. It goes without saying that Louisiana, Long's constituency, is an oil producer.<sup>29</sup> After six months, the Peruvian government had not yet paid compensation, as established by the Hickenlooper amendment; and Representative William J. Edward (R-Alabama) demanded suspension of all aid programs targeted to Peru. Edward argued that neither Peru nor other countries would cease to defy the U.S. if it did not take steps to earn their respect. Therefore, it was necessary to expedite application of the amendment, thus far postponed by the State Department.<sup>30</sup> Other members of Congress expressed sympathy for Peru, criticized the IPC, and questioned the need to enforce the Hickenlooper amendment. Congressmen like Thomas M. Rees (D-California), Thomas R. Pelly (R-Washington), and Richard L. Ottinger (D-Nueva York) recognized Peru's right to expropriate the IPC, but underscored the need to compensate its owners. They supported the intervention of a third party, possibly the Organization of American States (OAS) or the International Court of Justice.<sup>31</sup>

The case of Representative Rees (D-California) is interesting, as he associated himself with Peru and severely criticized the Hickenlooper amendment. In the view of the Californian Congressman, the IPC expropriation was "perhaps the greatest crisis in U.S.-Latin American relations in our time." Rees was convinced that enforcing the amendment would further complicate relations with Peru and negatively affect relations with Latin America. He was concerned that the U.S. would become isolated in the southern hemisphere.<sup>32</sup> Rees adopted a tolerant and sympathetic stance towards Peru's position regarding the IPC, as he concurred with the Peruvian authorities that the expropriation was an isolated case resulting from a 45-year dispute. Over that period the IPC had been a cause of resentment among Peruvians, who considered that it had exploited

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28 Frances X. Hogan, "The Hickenlooper Amendments: Peru's Seizure of International Petroleum Company as a Test Case." *Boston College Law Review* 11, n.º 6 (1969): 77.

29 "91st Congress, 1st session, January 31, 1969," in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 2 (Washington: United States Government Printing Office, 1969), 2420-2421.

30 "90th Congress, 2nd session, June 25, 1968," in *Congressional Record. Proceedings and Debates of the 90th Congress Second Session*, vol. 114, part 14 (Washington: United States Government Printing Office, 1968), 17355-17356.

31 Joseph J. Mansfield (D-Texas), "91st Congress, 1st session, March 4, 1969," in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 4 (Washington: United States Government Printing Office, 1969), 5172; Pelly (R-Washington), "91st Congress, 1st session, March 13, 1969," in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 5 (Washington: United States Government Printing Office, 1969), 6396; Thomas M. Rees (D-California), "91st Congress, 1st session, March 26, 1969," in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 6 (Washington: United States Government Printing Office, 1969), 7756; Richard L. Ottinger (D-NY), "91st Congress, 1st session, December 23, 1969," in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 30 (Washington: United States Government Printing Office, 1969), 41249-41250.

32 "91st Congress, 1st session, March 26, 1969," 7757.

their national resources in an unfair and illegal manner. Hence their view of the IPC expropriation as a legal act performed in defense of their legitimate rights. Rees acknowledged that the expropriation was considered an act of reparation in Peru and General Velasco was seen as a hero, in spite of the disastrous consequences such a challenge to U.S. power could bring to Peru's economy.<sup>33</sup>

In Reese's view, the allegedly deterrent effect of the Hickenlooper amendment had backfired. Quoting General Velasco, Reese stated that, given the history of official U.S. support for the IPC, enforcement of the Hickenlooper amendment would be seen by the Peruvian public as an act of economic pressure, and the inevitable accusations of economic imperialism would be used by communists to argue that U.S. foreign policy was designed to facilitate the exploitation of less developed countries. Reese emphasized that the U.S. should avoid a deterioration of its reputation in the hemisphere by seeking a fair solution to the problem, which would be impossible if the Hickenlooper amendment was enforced.<sup>34</sup> The Congressman used his discourse to acknowledge the widespread resentment in Latin America against the massive U.S. economic influence in the region. Both Peru and the other Latin American countries needed foreign capital to develop. Rees underscored the role of U.S. capital in creating jobs and introducing new technologies, but criticized its inability to persuade the Latin American public of such benefits. Along these lines, it was crucial for the U.S. to develop a sound Latin American policy aimed at treating Latin Americans "as equals and as partners" in the search for better living conditions in the western hemisphere.<sup>35</sup>

Other Congressmen also criticized the Hickenlooper amendment. In February 1969, Congressman Benjamin Rosenthal (D-NY) submitted a draft amendment to the Economic Assistance Act proposing to authorize the President not to cut economic aid, as established by the amendment, if it was considered to serve the national interest. He aimed at making enforcement of the amendment more flexible to strengthen the President's negotiating capacity.<sup>36</sup> Rosenthal used his intervention to severely criticize the Hickenlooper amendment. In his opinion, the infamous amendment deprived the parties in dispute of the necessary time to create the conditions for an understanding and prioritized the interests and properties "of a single American company of whatever size and whatever behavior, above other considerations of national interest."<sup>37</sup> The amendment also ignored and confused the objectives of U.S. economic aid. Rosenthal argued that aid was not an expression of American generosity, but a way to defend U.S. interests by promoting economic stability and

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33 "91st Congress, 1st session, March 26, 1969," 7757.

34 "91st Congress, 1st session, March 26, 1969," 7757. Senator Fred R. Harris also questioned the usefulness of the Hickenlooper amendment. "91st Congress, 2nd session, April 10, 1970," in *Congressional Record. Proceedings and Debates of the 91st Congress Second Session*, vol. 116, part 8 (Washington: United States Government Printing Office, 1970), 11213.

35 "91st Congress, 1st session, March 26, 1969," 7758.

36 "91st Congress, 1st session, February 26, 1969," in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 4 (Washington: United States Government Printing Office, 1969), 4724.

37 "91st Congress, 1st session, February 26, 1969," 4724. Senator Frank Church (D-Idaho) also considered that enforcement of the Hickenlooper Amendment would limit the President and put investor interests before those of the American nation. Frank Church (D-Idaho), "91st Congress, 1st session, May 5, 1969," in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 9 (Washington: United States Government Printing Office, 1969), 11313. (Author's emphasis)

development abroad. Suspending aid due to anger or frustration degraded those objectives. Therefore, in Rosenthal's words, it was necessary to act with "sensitivity and understanding."<sup>38</sup>

The Congressional Record reveals that, contrary to historian Noel Maurer's perception, IPC did not muster the kind of support in Congress that it had at the Presidential level, since, according to Maurer, "Congressional anger at the expropriations was strong."<sup>39</sup> In fact, a close examination of Congressional sessions shows that few Congress members stood out for IPC; and those who did were more interested in advancing local political interests. Another group of Congress members adopted a tolerant stance towards the IPC expropriation, condemned the Hickenlooper amendment, used the opportunity to criticize U.S. foreign policy, and rejected putting the interests of a corporation above those of the American nation.

#### 4. The Fishing Conflict

In the late 1940s, the Peruvian government took the first steps to claim national sovereignty over waters within 200 nautical miles of its coast. In 1952, Peru entered into league with Ecuador and Chile to claim exclusive sovereignty over a maritime zone within 200 miles of their coasts. Ronald Bruce St. John stresses that, in so doing, they sought to control their fishing and mineral resources. This joint move was condemned by the U.S. —which recognized a 12-mile limit— and marked the beginning of a controversy that went on for years and affected U.S.-Peru relations negatively.<sup>40</sup> In 1954, these three South American nations announced that they would not unilaterally withdraw their claim over the 200-mile "maritime dominion;" Moreover, they declared their intention to enforce their rights by all means necessary. A year later, two U.S. fishing vessels were seized by the Peruvian navy within the 200-mile limit claimed by Peru.

As part of its policy of reaffirming national sovereignty, the RGAF further tightened enforcement of the 200-mile limit, as a result of which the number of seizures of U.S. fishing vessels soared.<sup>41</sup> In February 1969, the Peruvian navy captured the U.S. tuna ship *Mariner* for allegedly fishing in Peruvian waters.<sup>42</sup> Tuna ships based in San Diego, California, had faced problems arising from the 200-mile decision since 1953. By 1969, more than 35 had been captured by the Peruvian navy and forced to pay "huge fines, sometimes as high as 15 thousand dollars."<sup>43</sup> The *Mariner* incident occurred shortly after the U.S.S. *Pueblo* was seized by North Korean forces and three days after Peru established diplomatic relations with the Soviet Union. The U.S. government's response was to cancel military sales to Peru, and the RGAF retaliated by expelling the U.S. military mission and rejecting the visit of U.S. Presidential Envoy Nelson Rockefeller, who had been sent by Richard

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38 "91st Congress, 1st session, March 26, 1969"; "91st Congress, 1st session, February 26, 1969," 4724.

39 Noel Maurer, *The Empire Trap: The Rise and Fall of U. S. Intervention to Protect American Property Overseas* (Princeton/Oxford: Princeton University Press, 2013), 379.

40 Ronald Bruce St. John, *The Foreign Policy of Peru* (Boulder: L. Rienner Publishers, 1992), 187.

41 St. John, *The Foreign Policy of Peru*, 198.

42 Lawrence A. Clayton, *Estados Unidos y el Perú 1800-1995* (Lima: Instituto Peruano de Economía Social de Mercado y Centro Peruano de Estudios Internacionales, 2002), 416.

43 Clayton, *Estados Unidos*, 416.

Nixon to Latin America on a surveillance mission in 1969.<sup>44</sup> According to historian Darlene Rivas, the mission led by the then New York Governor lasted 20 days and was an unqualified failure.<sup>45</sup>

In this context, it is not difficult to understand why the aggravation of the fishing conflict captured the attention of Congress and became the main issue of dispute with the RGAF. In 1968-1975, a considerable number of Congressmen attended the Senate and House plenary sessions to denounce the seizure of U.S. fishing vessels; criticize the State Department for its poor management of the problem, suggest the establishment of a retaliatory policy for addressing territorial issues, request naval protection for U.S. tuna ships, promote an international conference for resolving the conflict, and question the legality of the seizure of fishing vessels. They also presented and/or supported joint draft resolutions and/or amendments to revise U.S. territorial policy, cut economic aid to Peru, forbid fishing imports from countries interfering with U.S. vessels beyond 12 nautical miles from shore, recover ships loaned by the U.S. and used to intercept and capture U.S. shipping vessels, and expedite compensation to owners of U.S. fishing vessels for the fines paid upon being captured at sea (Table 1).

**Table 1.** Congress Members who took part in the fishing conflict

Glenn M. Anderson (D-California)	Gordon L. Allott (R-Colorado)	John M. Ashbrook (R-Ohio)
Wallace F. Bennett (R-Utah)	Alan H. Bible (D-Nevada)	Robert C. (Bob) Wilson (D-California)
James C. Boggs (R-Delaware)	Tim Lee Carter (R-Kentucky)	Norris H. Cotton (R-New Hampshire)
Eligio De la Garza (D-Texas)	Thomas J. Dodd (D-Connecticut)	Peter H. Dominick (R-Colorado)
James O. Eastland (D-Mississippi)	William J. Edward (R-Alabama)	Hiram L. Fong (R-Hawaii)
Robert P. Griffin (R-Michigan)	Edward J. Gurney (R-Florida)	Roman L. Hruska (R-Nebraska)
Leonard B. Jordan (R-Idaho)	Les AuCoin (D-Oregon)	Luis M. Lujan (R-Minnesota)
Joseph J. Mansfield (D-Texas)	Jack R. Miller (R-Iowa)	John S. Monagan (D-Connecticut)
Joseph M. Montoya (D-New Mexico)	Karl E. Mundt (R-South Dakota)	George Murphy (R-California)
Gaylord A. Nelson (D-Wisconsin)	Charles H. Percy (R-Illinois)	Thomas R. Pelly (R-Washington)
Winston L. Prouty (R-Vermont)	Jennings Randolph (D-West Virginia)	John R. Rarick (D-Louisiana)
Paul G. Rogers (D-Florida)	Richard S. Schweiker (R-Pennsylvania)	Gerry S. Studds (D-Massachusetts)

44 St. John, *The Foreign Policy of Peru*, 200.

45 Darlene Rivas, *Missionary Capitalist: Nelson Rockefeller in Venezuela* (Chapel Hill: University of North Carolina Press, 2002), 208.

John V. Tunney (D-California)	James S. Thurmond (D-South Carolina)	Louis C. Wyman (R-New Hampshire)
Lionel Van Deerlin (D-California)	Milton R. Young (R-North Dakota)	Clifford P. Hansen (R-Wyoming)
Howard W. Pollock (R-Alaska)		

**Source:** *Congressional Record. Proceedings and Debates of the 90<sup>th</sup> Congress Second Session- 94<sup>th</sup> Congress First Session* (Washington: United States Government Printing Office, 1969-1975).

Among the 40-plus Congressmen attending the fishing debates, the most proactive was beyond doubt Representative Pelly (R-Washington).<sup>46</sup> It is important to stress that Pelly’s interest in the matter did not begin with RGAF policies, as he had authored two draft amendments seeking to end the seizure of shipping vessels. The first one (1967) proposed discounting the fines levied on illegally seized U.S. vessels from U.S. economic aid to the capturing country. The second one, approved in 1968, suspended the sale of military equipment to countries capturing U.S. fishing vessels more than 12 miles off the coast.<sup>47</sup> In 1969-1971, Pelly developed an intense campaign in defense of U.S. fishing companies, in contrast with his sympathetic stance towards the IPC expropriation.<sup>48</sup> For example, on February 17, 1969, Pelly denounced the fact that the Peruvian navy had fired on one U.S. fishing vessel and captured another on,; and he requested President Nixon to provide secure naval protection.<sup>49</sup> On May 19 he also criticized the capture of another ship 25 miles off the coast of Peru.<sup>50</sup>

Pelly went beyond denouncing these operations of the Peruvian navy. On April 24, 1969, he complained that the dispute about U.S. fishing vessels in international waters had been set aside by the Nixon administration to resolve the expropriation of a U.S. oil company, in clear reference to the IPC. The matter was serious, because if Peru or any other nation in the region captured another U.S. fishing vessel, a boycott on their goods could be imposed at U.S. ports. As proof, he presented a resolution approved by the biennial convention of the International Longshoremen’s & Warehousemen’s Union, which criticized the illegal capture of ships, demanded immediate action by the

46 Pelly was born in Seattle, Washington, on August 22, 1902. He was member of the House of Representatives in 1953-1973 until his death. Biographical Directory of the United States Congress, “PELLY, Thomas Minor, (1902-1973),” <<http://bioguide.congress.gov/scripts/biodisplay.pl?index=P000196>>.

47 Romero Sommer, “Una amistad con enmiendas,” 62.

48 For Pelly’s sympathetic approach to the expropriation of the IPC see page 10, note 31.

49 “91st Congress, 1st session, February 17, 1969,” in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 3 (Washington: United States Government Printing Office, 1969), 3355. On March 19, 1969, Rep. Lionel van Deerlin (D-California) declared he had joined Rep. Robert C. (Bob) Wilson (R-California) and Senator George Murphy (R-California) in asking President Nixon to take “appropriate action” to stop the capture of tuna fishing vessels. Van Deerlin believed that a military guard would serve to dissuade further seizures. The three Congressmen represented the state of California, which concentrates the U.S. fishing fleet. Lionel van Deerlin (D-California), “91st Congress, 1st session, March 19, 1969,” in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 5 (Washington: United States Government Printing Office, 1969), 6801.

50 “91st Congress, 1st session, February 17, 1969,” 3355, and “91st Congress, 1st session, May 19, 1969,” in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 10 (Washington: United States Government Printing Office, 1969), 12894.

U.S. government, and threatened to boycott shipments from countries harassing union members.<sup>51</sup> On April 26, Pelly complained again that the fishing conflict had been abandoned in favor of the oil issue, and announced that he would press for legislation that “would cut off inputs of fish and fish products from these countries in the event of future seizures.”<sup>52</sup> According to Pelly, his draft law did not seek to punish, but rather to force negotiation. Pelly was convinced that the economic impact of the measure would compel Peru and other Latin American nations to negotiate.<sup>53</sup>

One month later Pelly lashed back, criticizing the State Department for its management of Peruvian issues. He maintained that on February 1969, when the Peruvian navy opened fire on one fishing vessel and seized another one, the State Department should have notified the Peruvian government of the suspension of U.S. military sales. According to Pelly, the State Department abstained from doing so in order not to jeopardize the IPC negotiations, which came to nothing anyway.<sup>54</sup> Pelly was not the only Congressman concerned with ship captures. On March 4, 1969, Senator Joseph J. Mansfield (D-Texas) expressed his unease about the IPC expropriation and the ship seizures, which had created a confrontation within the U.S. Regarding the IPC, the Senator acknowledged that enforcing the Hickenlooper amendment was an option; but favored mediation by a third party like the OAS. As for the fishing issue, he indicated that some Congressmen demanded that Peru return the ships provided by the U.S. government and used to capture fishing vessels.<sup>55</sup> In both cases it was necessary to restrain from provocations and retaliations to avoid damaging relations with Latin America, as had occurred in the case of the U.S.-Cuba breakup.<sup>56</sup>

Peru's use of ships on loan from the U.S. to seize U.S. fishing vessels incensed many Congressmen. One of them was Louis C. Wyman (R-New Hampshire), who submitted a concurring resolution in May 1969 stating that some of the ships loaned to Peru must be returned.<sup>57</sup> Congress-

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51 “91st Congress, 1st session, April 24, 1969,” in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 8 (Washington: United States Government Printing Office, 1969), 10312. The author has found no evidence of such boycott ever taking place.

52 “91st Congress, 1st session, April 28, 1969,” in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 8 (Washington: United States Government Printing Office, 1969), 10513. The draft in question was H. R. 10607. On May 20, Rep. Bob Wilson (R-California) introduced a draft Act similar to Pelly's. It was not Pelly's original idea, since Rep. Van Deerlin (D-California) had introduced a similar draft on February 17, 1969, Act, H. R. 5277. “91st Congress, 1st session, May 20, 1969,” in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 10 (Washington: United States Government Printing Office, 1969), 13129; “91st Congress, 1st session, February 17, 1969,” 3355.

53 According to Pelly, the U.S. Commerce Department calculated Peru's fishing exports at \$62.1 million. “91st Congress, 1st session, April 28, 1969,” 10513.

54 “91st Congress, 1st session, May 27, 1969,” in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 11 (Washington: United States Government Printing Office, 1969), 14080. Rep. John R. Rarick (D-Louisiana) also criticized the incapacity of the U.S. Government to deal with the seizure of U.S. fishing vessels by the Peruvian navy. “91st Congress, 1st session, March 20, 1969,” in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 6 (Washington: United States Government Printing Office, 1969), 7129.

55 The warship loan program to foreign countries began in 1951 with the blessing of Congress, which had approved 14 such projects by 1967, when 76 ships had been loaned to 18 countries. “Naval Vessel Loans,” in *CQ Almanac 1967* (Washington: Congressional Quarterly, 1968), <<http://library.cqpress.com/cqalmanac/cqal67-1314859>>.

56 “91st Congress, 1st session, March 4, 1969,” 5172.

57 “91st Congress, 1st session, March 4, 1969,” 5172; “91st Congress, 1st session, May 19, 1969,” 12958. Van Deerlin also criticized the use of ships on loan from the U.S. to capture fishing vessels.



man George Murphy (R-California) also addressed this subject, and linked it to U.S. economic aid to Peru. Reacting to the February 1969 incident, Murphy considered it necessary to send a strong message to Peru, Chile, and Ecuador: the U.S. would do everything in its power to protect its fishing vessels and put an end to harassment of them at sea. As these countries benefited from U.S. economic aid—and received ships on loan, which were later used to seize U.S. fishing vessels—the State Department had to decide whether to discontinue assistance to prevent such actions.<sup>58</sup> According to Representative Tim Lee Carter (R-Kentucky), 74 fishing vessels had been captured off the coasts of Chile, Peru, and Ecuador since 1961 (some of them by ships on loan from the U.S. Government), and. Among those countries, Peru itself had received 476 million dollars in U.S. economic aid. Carter concluded that U.S. taxpayers should not continue to provide assistance to a country like Peru, “which has no respect for the U.S.”<sup>59</sup> During the debate on the draft of the Foreign Assistance Act of 1969, Congressman John M. Ashbrook (R-Ohio) criticized the government for not having introduced any changes in the economic aid program to protect U.S. interests, as a result of which countries like Peru and Ecuador could seize fishing vessels while continuing to receive aid. Congressman Howard W. Pollock also opposed the bill since it considered the possibility of economic aid to countries like Peru and Ecuador that continued to capture ships illegally.<sup>60</sup>

Senator Robert P. Griffin (R-Michigan) and Congressmen Paul G. Rogers (D-Florida) and Edward (R-Alabama) emphasized the need to revise U.S. policy on maritime limits. Edward argued two points: first, the humiliation of U.S. fishing crews; and second, the fact that the coasts were under intense electronic surveillance by several communist countries. Rogers also criticized the abuses committed in international waters “under the guise of territorial sovereignty which extends seaward to unrealistic distances.” He cited the capture of the shipping vessels San Juan and Cape Ann on March 19, 1969, 23 miles off the coast of Peru as an example. Both Congressmen favored a policy of territorial reciprocity: the U.S. should enforce the same territorial and fishing limits imposed by other countries. Rogers actually succeeded in introducing a joint resolution on this matter, which, in his view, would strengthen the Hickenlooper amendment and, therefore, the U.S. Government’s negotiating position.<sup>61</sup> On March 24, 1969, Senator Griffin submitted a resolution proposing a revision of U.S. territorial policy and an international conference to settle the matter. The resolution had the support of 25 Congressmen. As part of his presentation, Griffin denounced the capture of two tuna ships by the Peruvian navy.<sup>62</sup>

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58 “91st Congress, 1st session, February 17, 1969,” 3553.

59 “91st Congress, 1st session, March 17, 1969,” in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 5 (Washington: United States Government Printing Office, 1969), 6542; and “91st Congress, 1st session, November 19, 1969,” in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 26 (Washington: United States Government Printing Office, 1969), 34905.

60 “91st Congress, 1st session, November 19, 1969,” 3493. Rep. William H. Harsha (R-Ohio) also justified this opposition to the draft using the actions of Peru and Ecuador as justification. “91st Congress, 1st session, November 20, 1969,” in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 26 (Washington: United States Government Printing Office, 1969), 35225.

61 Paul G. Rogers (D-Florida), “91st Congress, 1st session, April 24, 1969,” in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 7 (Washington: United States Government Printing Office, 1969), 10222; and Edward (R-Alabama), “91st Congress, 1st session, March 26, 1969,” 7758.

62 “91st Congress, 1st session, March 24, 1969,” in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 6 (Washington: United States Government Printing Office, 1969), 7198-7203.

How to explain the attention dedicated to the fishing issue at Congress? First, many of the most proactive Congressmen in the defense of fishing enterprises —Pelly, Lionel Van Deerlin (D-California), Bob Wilson (R-California), George Murphy (R-California), and John R. Rarick (D-Louisiana)— represented fishing states, especially on the West Coast. In other words, in criticizing the RGAF, they were defending the interests of their voters, and therefore their efforts were politically motivated. Second, for a number of Congressmen, the seizure of U.S. ships was illegal and reflected a lack of respect for the U.S. In their view, countries like Peru, which abused the aid granted by the U.S., ought to pay the price.<sup>63</sup>

## 5. Relations with Latin America

The subject of possible implications of the conflict with Peru —in particular the Hickenlooper Amendment— in U.S.-Latin America relations were of considerable importance in Congressional discussions.<sup>64</sup> On November 11, 1969, Senator James Fulbright (D-Arkansas), Chairman of the Foreign Affairs Committee, included in the Congressional minutes a speech delivered by Senator Frank Church (D-Idaho) at the closure of the Pacem in Terris Seminar, held by the Center for the Study of Democratic Institutions in Mexico City in September 1969. The seminar brought together hemispheric leaders to discuss issues relating to inter-American relations. According to Fulbright, Church proposed a new approach to U.S. aid programs in Latin America.<sup>65</sup> It is interesting that, Church used Peru as an example to justify his criticisms of U.S. foreign policy in his speech.

Church was one of the most outstanding liberal dissidents and one of the harshest critics of U.S. foreign policy, especially in Indochina and Latin America. He was one of the first Senators to criticize U.S. intervention in Vietnam. Moreover, he headed a special committee for investigating the U.S. Government's intelligence activities.<sup>66</sup> The Senator started his speech emphasizing his concern about the fast deterioration of the image of the U.S. in Latin America. He maintained that the growing hostility towards the U.S. in Latin America confirmed the failure of the Alliance for Progress, as reflected in the mistrust and animosity encountered by Presidential Envoy Nelson Rockefeller. This was especially the case among young people, who saw the U.S. as a war-addicted monster bent on keeping Latin America "in a permanent state of quasi-colonialism."<sup>67</sup> According to Church, the rise of militarism in Latin America also reflected the failure of the Alliance for

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63 The complaint took place in a special international context. Historian Hal Brands points out that the U.S. saw its dominant position in the Western Hemisphere challenged at the end of the 1960s due to a perception of "Western decadence" during that period. The defeat in Vietnam and the rapprochement with China and the Soviet Union created the impression that the U.S. was a power in retreat. RGAF nationalism was part of that trend. Hal Brands, "Third World Politics in an Age of Global Turmoil: The Latin American Challenge to U.S. and Western Hegemony, 1965-1975." *Diplomatic History* 32, n.º 1 (2008): 106, doi: <https://doi.org/10.1111/j.1467-7709.2007.00669.x>

64 Rees (D-California), "91st Congress, 1st session, March 26, 1969," 7756. Church (D-Idaho), "91st Congress, 2nd session, April 10, 1970," in *Congressional Record. Proceedings and Debates of the 91st Congress Second Session*, vol. 116, part 8 (Washington: United States Government Printing Office, 1970), 11211.

65 "91st Congress, 1st session, November 11, 1969," in *Congressional Record. Proceedings and Debates of the 91st Congress First Session*, vol. 115, part 25 (Washington: United States Government Printing Office, 1969), 33669.

66 David F. Schmitz and Natalie Fousakis, "Frank Church, the Senate, and the Emergence of Dissent on the Vietnam War." *Pacific Historical Review* 63, n.º 4 (1994): 561-565, doi: <https://doi.org/10.2307/3639949>

67 "91st Congress, 1st session, November 11, 1969," 33669.

Progress. While declaring that its aim to promote democracy, the U.S. Government actually insisted on reinforcing Latin American armies through military aid. The Senator acknowledged that he had attempted to eliminate these programs for years, but that the government had persisted in preserving them.<sup>68</sup>

According to Church, the coup that had brought down the Belaúnde regime was an example of the use given in Latin America to U.S. military aid that “identified the U.S. indelibly with that element in Latin America which epitomizes static authoritarian rule. (If the present military government of Peru turns out to be an exception, then it will be the exception that proves the general rule).” In other words, military aid associated the U.S. with governments favoring the status quo over the need for change, which in Church’s view went against U.S. interests.<sup>69</sup> Church believed that the Hickenlooper amendment provided an example of how Congress used economic aid as a tool for punishing or rewarding governments. There was no doubt in the Senator’s mind that the amendment was an obstacle to resolving the problems with Peru, and criticized other similar amendments intended to punish countries that captured U.S. fishing vessels. Such measures were counter-productive because they could harm U.S. relations with those countries.<sup>70</sup>

The Senator believed that the problems with Peru had started with the controversy over the purchase of supersonic aircraft. In 1967, the Peruvian government decided to purchase supersonic U.S. combat aircraft. When the Johnson administration blocked the operation, Peru decided to buy French aircraft,<sup>71</sup> which provoked a crisis that, according to Church, was poorly managed by the U.S. Government.<sup>72</sup> Church concluded his speech by suggesting a drastic change in U.S.-Latin America relations based on the termination of military aid. The money allotted for that purpose should instead be channeled to agencies like the Inter-American Development Bank or the World Bank, which would put it to better use. Four months later, Church delivered a long speech before the Senate, where he revisited some of the proposals laid out in Mexico. The Senator opened his remarks with a reflection on future U.S.-Latin America relations. Church was convinced that the 1970s would be a period of instability and irreversible change in Latin America. According to Church, in the face of an inevitable surge in nationalism, the U.S. should adopt a different stance towards its Latin American neighbors who questioned what until then had been taken as an article of faith: the belief that foreign capital promoted development.<sup>73</sup>

Again, Church was very critical of the use of economic aid to punish Latin American countries. Therefore, he declared the Hickenlooper amendment to be “useless as deterrent to the confiscation of American-owned business abroad.” Like he did in México, he questioned amendments that sought to address the seizure of fishing vessels by Peru and Ecuador in a confrontational manner.<sup>74</sup> The case of Peru showcased the negative effect of such amendments. On that occasion, Church suggested that the problems with Peru did not start in 1967, but in 1964, when the State Department

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68 “91st Congress, 1st session, November 11, 1969,” 33670.

69 “91st Congress, 1st session, November 11, 1969,” 33671.

70 “91st Congress, 1st session, November 11, 1969,” 33671.

71 See: Francois Le Roy, “Mirages over the Andes: Peru, France, the United States, and Military Jet Procurement in the 1960s.” *Pacific Historical Review* 71, n.º 2 (2002): 269-300, doi: <https://doi.org/10.1525/phr.2002.71.2.269>

72 “91st Congress, 1st session, November 11, 1969,” 33671.

73 “91st Congress, 2nd session, April 10, 1970,” 11211.

74 “91st Congress, 2nd session, April 10, 1970,” 11212.

held back economic aid to Peru to force the Peruvian government to negotiate with the IPC. This strategy failed and provoked resentment among the Peruvian authorities. The supersonic aircraft affair aggravated discontent in Peru.<sup>75</sup> Church concluded by stating: “The story of U.S.-Peruvian relations in the last five years contains ample mistakes on both sides. The point is that each successive stage in the deterioration has been provoked, in one way or another, by some aspects of the U.S. aid program.”<sup>76</sup>

In both speeches, Church provides an excellent example of how liberal dissident Congressmen questioned U.S. foreign policy directly, as well as the role of the RGAF in the process. The Senator used Peru to propose an overhaul of U.S.-Latin America relations, starting with the termination of military aid and the use of economic aid as a tool for coercion. It was necessary to understand that the rise of Latin American nationalism was, in part, a reaction to a flawed foreign policy that fueled militarism.

## Conclusions

The following conclusions can be drawn from the above discussion. First, the “empire trap,” as proposed by historian Noel Maurer, does not apply to the relation between Congress and the RGAF. Maurer maintains that, because of their power and influence, U.S. companies facing problems abroad —e.g., expropriations— always obtained government support, even at the cost of affecting U.S. geopolitical interests. In other words, domestic interests had again and again prevailed over strategic considerations. According to Maurer, direct or indirect intervention by the U.S. Government had historically been decisive for protecting U.S. property abroad.<sup>77</sup>

Contrary to this position, the Congressmen analyzed in this study believed the capture of fishing vessels was a subject of greater relevance than the expropriation of a U.S. corporation. More Congressmen reacted in defense of fishing enterprises than in favor of the IPC. Moreover, they adopted harsher stances and did not show the least sympathy for Peru’s territorial claims. Some of those who reacted against the capture of fishing vessels represented fishing states and were defending their voters; therefore, their actions were politically motivated. Others reacted from a nationalist standpoint, irritated by acts that they considered to be illegal and an affront to the U.S. The RGAF emerged in a particular period of congressional history marked by a rebellion led by Congressmen who were critical of U.S. foreign policy and, moreover, pressed for greater congressional participation in its design. They used the RGAF to advance their political and ideological agenda, criticizing the government’s actions and policies.

Finally, when assessing U.S. foreign policy, it is necessary to recall that the U.S. Government is not a monolithic entity, as demonstrated by the fact that Congress reacted differently from the Executive with respect to the reforms implemented by the RGAF. A close examination of such differences should lead to a better understanding of the evolution of U.S. foreign policy.

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75 “91st Congress, 2nd session, April 10, 1970,” 11212.

76 “91st Congress, 2nd session, April 10, 1970,” 11213.

77 Maurer, *The Empire Trap*, 8-10.

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### **Norberto Barreto Velázquez**

Research Professor in the Humanities Department of the Universidad del Pacífico (Peru). He did his undergraduate studies at the University of Puerto Rico and holds a PhD in History from Stony Brook University (United States). His most recent publications include “El gran ausente: el Congreso estadounidense en el estudio de las relaciones entre América Latina y Estados Unidos.” *Huellas de Estados Unidos* n.º 11 (2016): 78-88; and “Rexford G. Tugwell y la Segunda Guerra Mundial,” in *Puerto Rico en la Segunda Guerra Mundial*, edited by Jorge Rodríguez Beruff (San Juan: Ediciones Callejón, 2012). [barreto\\_n@up.edu.pe](mailto:barreto_n@up.edu.pe)