Sitting in Paris as the United States’s first ambassador to France, Thomas Jefferson reflected on how the new US government could avoid the errors of European “despots” who kept their people subjugated through war and debt. Writing to James Madison, he observed that the US Constitution had at least checked “the Dog of war,” by transferring “the power of letting him loose from the Executive to the Legislative body, from those who are to spend to those who are to pay.”

At the same time, however, the Constitution designates the executive as the “Commander in Chief,” a power that American presidents have invoked to use military force without Congressional authorization on more than 200 occasions. President Barack Obama relied on that power when he told both Congress and the American people that he had the authority to order limited strikes on Syria without going to Congress.

By simultaneously claiming that authority and seeking Congressional authorization to use it, Obama enters a small class of leaders who actively seek to constrain their own power. That is because he sees his historical legacy as that of a president who ended wars and made them harder to start, instead reinvesting America’s resources in its own people. He opposed the Iraq war in 2003 and promised in 2008 that he would end the unlimited “war on terror,” which had become a potential blank check for US presidents to use force anywhere in the world.

But, beyond the system of political “checks and balances” created by the US Constitution, does it make sense for leaders to take decisions regarding the use of force to the people? It certainly makes the leaders’ lives harder. British Prime Minister David Cameron came up short when he turned to Parliament to authorize British participation in US strikes against Syria. French President François Hollande faced intense criticism from right-wing parties in the National Assembly for his agreement to participate in the strikes. And Turkish Prime Minister Recep Tayyip Erdoğan, who volunteered to participate in a military coalition, is facing strong domestic opposition to his Syria policy.

There are several arguments for not allowing the people’s representatives to intervene in the complicated foreign-policy dance between force and diplomacy. For starters, there is the traditional idea that politics end at the water’s edge, where messy domestic disagreements are supposed to give way to the abstraction of one state with a unified national interest.

A related argument is that domestic political processes can hamstring a government in the great game of poker or chess that international politics is supposed to be. As Obama has just discovered, having a legislature that clearly does not want to go to war weakens the executive’s hand in international negotiations.
Timing is another problem. Legislative processes are slow and often tortuous, while international diplomacy can change overnight, owing to shifting coalitions, unexpected opportunities, and well-hidden traps.

Moreover, diplomacy thrives on back-room deals of the kind that US Secretary of State John Kerry and Russian Foreign Minister Sergei Lavrov have just struck over Syria’s chemical weapons. In high-stakes negotiations, the last thing the players need is public debate about the cards that each of them holds. A threat to turn from talks to tanks must be credible, which it will not be if an opposing player can simply count votes to see if the necessary legislative majority exists.

Still, Jefferson had it right. Though turning to the legislature may prove to be inconvenient, frustrating, and even counter-productive, it is the right thing to do, for three reasons. First, the use of force is costly in terms of lives, money, and leaders’ energy and attention. The people pay these costs, so their representatives should decide whether to incur them.

Second, it is never more important for a democracy to follow its procedures and uphold its principles than in an armed conflict involving non-democracies. The Syrian people, oppressed and brutalized by their own government, should see that the American people have a different relationship with their leaders.

Finally, a core component of democracy is a set of rules and procedures designed to require public officials to justify their policies with reasons that can be accepted or countered in public debate. When contemplating foreign military intervention, leaders must explain their actions in ways that make clear how their country’s strategic and moral interests are at stake – for example, how unbridled aggression and hideous suffering can fester and spread.

Leaders would prefer to speak in the language of readily calculable interests. Talk of care and moral scruples is uncomfortable and unstable terrain. As the Turkish political analyst Mustafa Akyol has put it, for most of the Turkish population, “care for Syria does not translate into, ‘Let’s go liberate it.’” Yet leaders who need their people’s support to address complex, interdependent problems beyond their borders must socialize them into a twenty-first-century world in which caring without acting imperils us all.

These arguments do not mean that leaders will not use force from time to time without turning to their people first. Obama does have constitutional authority to conduct limited military strikes to deter and degrade Syrian President Bashar al-Assad’s ability to use chemical weapons. All leaders can order their forces into battle in cases of national emergency or self-defense. They must preserve their legal and operational ability to act swiftly and decisively when necessary.

But, two centuries after Jefferson, states are no longer merely colored shapes on a map; increasingly, they are transparent and open territories that we view as home to millions of fellow human beings. It is thus ever more important that the people of one country participate in the decision to attack the people of another.