War and Democratic Decision Making

How do democracies argue and decide whether or not to intervene in distant wars?

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What is the proper place and forum for decisions about war and peace in a democracy? There is surprisingly little consensus on this matter, not in theory and not in practice. Hobbes believed that large assemblies were the wrong place deliberations on "Forraign Affaires" as discussion would be dominated by "impertinent opinions." Rousseau, for his part, was more confused on the matter, arguing at one point that the declaration of war was a sovereign act that must follow public deliberation, but later referring to it as an example of an executive act best done with little popular interference.

It's tempting to explain this away as essentially contested — not the kind of thing we might have a real consensus about. But that's ignoring a pretty solid consensus on so many other similar matters. It's been nearly two decades since anyone seriously argued that monetary policy should be made more democratically, and much longer since anyone openly called for fiscal policy to be made less democratically. This doesn't have to be permanent, and it probably won't be. But citizens of democratic countries would find it weird if suddenly decisions about taxes and spending, rather than reflecting elected parliamentary majorities, were devolved to panels of expert economists. And at the same time, it is taken as a mark of serious mature governance that decisions on interest rates and money supply are solely in the hands of unaccountable experts.

Is war, or at least distant foreign intervention, more like a tax or an interest rate? Recent experience shows we are no closer to finding a consensus, and it raises grave questions about the ways in which we are making decisions about war in the absence of any mature notion about

how we should be doing so.

Major democracies such as the United States, the United Kingdom, France, and Germany were faced with intervention dilemmas in Iraq in 2002-3, in Libya in 2011, and in Syria in 2013. In all three cases, sadistic dictators who in the distant past oscillated between Western favour and opprobrium (often with no discernible connection to their actual behaviour) have vacated the stage to be replaced by chaos and sectarian violence. Even though I am focusing here on the political consequences in major democracies, it is important not to lose sight of the fact that the most excruciating toll of all three crises has been in theatre in the countries that have been ravaged by war, terror, and social collapse.

For many Western commentators, however, decisions in Washington or London seem to be the only causally relevant ones. It's not hard to find Obama-haters who are convinced that if only the U.S. had taken a more active stand five years ago, Syria would never have descended into the hell it is today, just as it's not hard to find Bush-haters making a similar (and slightly more plausible) claim about Iraq if only the U.S. had stayed out.

In fact, looking at all three cases, it may very well be that Western involvement is the least pivotal variable. In Iraq, the US and a few of its key allies invaded and occupied the country, removed a murderous dictator, and set about creating a new constitutional order. The result has been catastrophic. In Libya, the U.S. and its allies launched a limited air campaign which helped topple a murderous dictator, but never put boots on the ground and never prepared for the day after. The result has been catastrophic. In Syria, the US and its allies made threats but mostly stood by as a murderous dictator massacred his own people and was held in check by an even more frightening Islamist death cult. The result has been catastrophic.

So what do we have here? Full intervention, catastrophe. No intervention, catastrophe. Partial intervention, catastrophe. The US, and the West more broadly, are simply not the most relevant independent variable, and we should be wary of any analysis that seeks to explain the ills of the Middle East by only looking at their actions — or the adventurism of one president or the reticence of another. I point this out up front to emphasize that this paper is not trying to explain the outcomes in the Middle East by the democratic

or non-democratic processes in the West. There are plenty of other places to look for a more complete story. Nor do I hold that the three cases are identical or even similar in other ways. Notably, in the first (Iraq) the debate centered on the question of invading and occupying a country that was not at that moment being torn apart by sectarian strife.

A Long Argument and an Engaged Public

A comparative assessment of policy efficacy in these three cases is depressing, unedifying, but obviously important. A comparative assessment of the *process* of public decision-making in these three cases, however, is deeply interesting and at least as important (even if the stakes in human lives are much lower.

The debate about Iraq was central to domestic politics in the U.S., the U.K., France, and Germany in the last months of 2002 and the first months of 2003. In the U.S. and Germany, it was even (rather cynically) turned into a focal issue in national elections (the American 2002 midterms and the German federal election a month earlier). Public opinion was deeply involved, and while we may quibble about the quality of the debate, the issue dominated the op-ed pages of newspapers in all four countries. On the center-left and left, in particular, columnists and public intellectuals made and sometimes ruined reputations with bold stands on the prospect of war in a distant land most knew very little about. Professors of international relations took out full-page ads in major newspapers to express views on the war, most memorably in September 2002 when nearly all the leading lights of the field signed an ad in the *New York Times* urging "vigilant containment" of Iraq rather than an invasion. Large demonstrations (mostly anti-war) featured prominently too, including coordinated demonstrations in European and American cities on February 15, 2003 which together drew millions of demonstrators out into the streets. It seems that well before the war started everyone had an opinion on it — even if many would prefer to forget what that was as soon as the war started to go badly. The two most notable features of this debate were its long duration and its variable outcome: it was played out for months, and in two countries (U.S., U.K.) the ultimate decision was to go to war, while in the other two (France, Germany) it was not to.

A Disengaged Public

This level of engagement and this intensity of disagreement were not to be repeated. Though the upheaval in the Arab World was a hot topic of discussion in the winter of 2011, the NATO air war in Libya got underway of March of that year with almost no debate at all. In fact, publics and parliaments in the three countries which led the bombing — France, the U.K., and the U.S. — weren't even really notified that anything more than a "no-fly zone" was being implemented.

And then they became active in toppling a regime.

And then, for the most part, they just moved on.

Five years on, the war itself and its myriad disappointments are subjects for soul-searching and political scoring. But the rather bizarre process by which the armies of major democracies embarked on such a large misadventure without even a minimally democratic decision-making process remains largely unremarked upon. A Security Council resolution on a no-fly zone was pushed through, and hours later a large, coordinated bombing campaign was underway, blindsiding states that hadn't opposed the UN resolution, but not rousing indifferent publics in the countries carrying out the bombing.

It's possible to see the Syria case as a middle ground, lying somewhere in between the giant democratic engagement of the Iraq case and the deliberative void of the Libyan one. I would, however, suggest seeing the Syria decision process as belonging to a third, distinct category. With the debate on Syrian intervention, we saw a return to parliamentary forums for discussing war. In Britain and the U.S., especially, parliaments became decisive actors, eventually blocking the wars. This was a new development in both countries, where previous debates on war took place in the Commons or the Congress as a way of approving executive action (and spreading accountability) when the result was known ahead of time — only the 1990 decision to authorize the use of force before the Gulf War was close in the U.S.. In Britain, a heated debate and a very close vote led to a surprising defeat for the government. In the U.S., too, unexpected Congressional opposition (as well as the British pullout from the budding coalition) pushed the President to seek a way around his "red line."

The French process in the Syria case lies beyond the scope of this paper. Once a decision had been made to go to war, no democratic (or other) process could have stopped it. It was the withdrawal of France's principal allies from the consensus on war in Syria, not any internal French political process, which ended the drive to war in Paris.

The Absence of a Normative Model

So between a fully democratic process with variable outcomes across countries, an entirely undemocratic executive-driven process with consensus across countries, and a process of parliamentary deliberation without conclusive results, which is best? It's hard to say, and it's hard even to spot a trend. We lack the normative tools for making this assessment because neither the theory nor practice of politics has caught up with the kind of national security challenges most of the advanced democracies actually face today.

Until 1945, well-ordered states generally saw themselves as either *at war* or *at peace*. Modes of governance were different depending on this status. Since 1945, the advanced democracies have perceived themselves as more or less constantly *on alert*, a status made only more acute since 2001. In fact, since 2001, many of the major democracies have been both on alert for terrorist attacks at home while engaging in major combat operations in various countries throughout the Muslim World (Afghanistan, Pakistan, Iraq, Mali, Libya, etc.). A parliamentary debate followed by a solemn vote to declare war is obviously incompatible with the nature of national security in the post-1945 (and even more especially post-2001) era. But what should replace it?

Where political theory has ignored the problem, political practice has dealt with it only sporadically. In the US, the War Powers Act of 1973 attempted to modernize somewhat the process of authorizing the use of force. It passed the Congress only by a rare override of a presidential veto, and has since been honoured in the breach more than it has actually affected any decisions about war and peace. At the same time, nearly all of the major democracies today are in one way or another belligerent parties in hostilities in distant, mostly Muslim-majority, lands. They face wrenching dilemmas in a variety of theatres, as well as the expectation of blowback on domestic soil,

with few attractive options. Current democratic institutions and constitutional procedures do not appear equal to this challenge, and contemporary normative political theory appears uninterested in suggesting realistic alternatives.

It's hard to see how this reality will change in the near future, and it's time our democratic toolkit equipped us to make prudent and constitutionally appropriate decisions to face it, lest we continue sleepwalking into more catastrophic global crises.