The question who has authority to deploy and use U.S. military troops and force abroad is controversial and one that has been present since the Republic’s founding.

The imperial presidency threatened to emerge during the era of Vietnam and Watergate. Historically, the constitutional ambiguity of war powers has produced tension between the executive and legislative branches, but the Clinton and the George W. Bush administrations have advanced the abuse of presidential power in the use of force and exacerbated the already-existing tension.

To the casual observer, the president, as commander in chief, appears entitled to unilateral military powers when deploying and using U.S. troops and forces abroad.

Presidential practice has also relegated Congress to a backseat in decisions on the use of force.

Contrary to these arguments and presidential practice in general, the Founders did not intend to grant presidents exclusive authority in war powers.

The Constitution makes clear that the Founders were determined to deny presidents the sole prerogative of making war and peace.

The president’s power as commander in chief provided presidents with the ability to respond to national emergencies.

The Founders clearly divide war powers...

Ultimately, presidential war power remains strong and will continue to remain strong.