War Powers: The Politics of Constitutional Authority. By Mariah Zeisberg. Princeton, N.J.: Princeton University Press, 2013. Pp. 276. ISBN 978-0-691-15722-1. US \$29.95.

While the U.S. Constitution provides Congress with the power to declare war, the U.S. has engaged in many military conflicts without a declaration of war. In some of these conflicts, the President claimed the power to deploy military forces and members of Congress protested that the

President's actions were unconstitutional. When these interbranch disputes over the Constitution's distribution of power occur, it is easy to look for a clear answer, an ultimate arbiter to decide which side is correct.

In *War Powers: The Politics of Constitutional Authority*, Mariah Zeisberg argues that we should resist this impulse. Zeisberg argues against the settlement thesis, the idea that the Constitution can clearly tell us which branch is acting legitimately. Rather than asking whether a military action is legal or not, Zeisberg suggests we think of military decisions by the President and Congress as having more or less constitutional authority. She proposes using a set of standards she calls the relational conception. The relational conception contains two sets of standards: substantive and processualist.

The substantive standards mean we should examine how well the President is fulfilling his obligation to defend the nation, and how well Congress is exercising its powers over military actions through the constitutional authorizations to declare war and issue letters of marque and reprisal. The processualist standards mean we should consider to what extent the executive and legislature are making independent judgments about going to war, using their respective governance capabilities, and engaging in a dialogue with each other.

This relational conception may initially seem a bit nebulous, so the case studies that form the bulk of the book are valuable for showing how the relational conception can be used to assess the constitutional authority of various military actions. Zeisburg considers examples from as early as the Mexican War to as recently as the Iran-Contra investigation. Zeisburg's historical description is sufficient for most readers, and is closely tied with her arguments. The book is heavily footnoted; a bibliography at the end of the book would have been helpful.

Zeisburg is a political scientist, and she focuses on understanding how we can improve executive-legislative relations to make military decisions that fit well with each branch's constitutional powers and institutional competencies. I found myself wishing we could find a way to discover clear, legal/illegal answers to these questions. However, Zeisburg makes a persuasive case that the Constitution does not precisely dictate each branch's war powers and assigning these powers will inevitably be political. The relational conception recognizes the political nature of these conflicts and helps us think about how war powers can be exercised in a way that is more consistent with our constitutional model of government.

War Powers is recommended for academic collections in law and political science. Professors looking for interesting examples of executive-legislative conflict or uses of war powers will find excellent material in this book.

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