

Constitutional Conflicts

Between
Congress and the
President

Fourth Edition, Revised

Louis

Fisher

Constitutional Conflicts Between Congress And The President 3rd Edition Revised

Joseph A. Pika, John Anthony Maltese



Constitutional Conflicts Between Congress And The President 3rd Edition Revised:

Constitutional Conflicts between Congress and the President Louis Fisher, 2014-08-19 Over three decades after its initial publication Louis Fisher's durable classic remains at the head of its class a book that Congressional Quarterly called as close to being indispensable as anything published in this field This newly revised sixth edition emphatically reinforces that sterling reputation Fisher dissects the crucial constitutional disputes between the executive and legislative branches of government from the Constitutional Convention through President Clinton's impeachment battles to the recent controversies over President Bush's conduct as commander in chief He ventures beyond traditional discussions of Supreme Court decisions to examine the day to day working relationships between the president and Congress By analyzing a mixture of judicial pronouncements executive acts and legislative debates Fisher pinpoints the critical areas of legislative executive tension appointment powers investigatory powers legislative and executive vetoes the budgetary process and war powers He then examines these areas of tension within a concrete political and historical context To scholars this book offers a comprehensive examination of the institutions and issues of public law For practitioners general readers and students of American government it demonstrates how constitutional issues shape and define current events The new edition covers for the first time Obama's military decisions in Afghanistan and Iraq Military operations against Libya in 2011 Threatened attacks on Syria in 2013 Efforts to close Guantanamo Obama's recess appointments during a pro forma session Fast and Furious scandal Holder's contempt and Obama's executive privilege The growth of presidential czars Executive branch secrecy and lack of accountability State Secrets Privilege after 9/11 Distinguishing between implied powers constitutional and inherent powers not constitutional Pocket vetoes and the growth of hybrid vetoes New developments in the President's removal power

The Politics of the Presidency, Revised 8th Edition Joseph A. Pika, John Anthony Maltese, 2013-07-15 In the most up to date core text available on the presidency The Politics of the Presidency Revised Eighth Edition Joseph A. Pika and John Anthony Maltese once again deliver their comprehensive and accessible analysis of the presidency Never losing sight of the foundations of the office the authors maintain a balance between historical context and contemporary scholarship on the executive A solid foundation for any presidency course the revised eighth edition features updated chapters including coverage of the 2012 election and a new chapter analyzing Obama's challenges as a second term president in an entrenched partisan environment

The Presidential Pulse of Congressional Elections James E. Campbell, 2014-07-11 An intriguing phenomenon in American electoral politics is the loss of seats by the president's party in midterm congressional elections Between 1862 and 1990 the president's party lost seats in the House of Representatives in 32 of the 33 midterm elections In his new study James Campbell examines explanations for these midterm losses and explores how presidential elections influence congressional elections After reviewing the two major theories of midterm electoral change the surge and decline theory and the theory of midterms as referenda on presidential performance

Campbell draws upon each to propose and test a new theory He asserts that in the years of presidential elections congressmen ride presidential coattails into office while in midterm elections such candidates are stranded An additional factor is the strength of the presidential vote which influences the number of seats that are won only to be lost later Finally Campbell examines how the presidential pulse may affect electoral accountability the relationship between Congress and the president and the relative strength of Congress the president and political parties He explores the implications of the presidential pulse for understanding electoral change evaluating the American voter s competence and assessing the importance of split ticket voting Including both election returns and survey data *The Presidential Pulse of Congressional Elections* offers a fresh perspective on congressional elections voting behavior Congress and the presidency **The 21st Century Constitution** Barry Krusch,1992 The author argues that if not amended inherent defects in the U S Constitution threaten to affect every American citizen with a pending national crisis Krusch analyzes the Constitution clause by clause and proposes amendments to bring the document and our government in step with America in an Information Age Stanhope Press *The Politics of the Presidency* Joseph A. Pika,John Anthony Maltese,2013 Once again delivering their comprehensive and accessible analysis of the presidency Pika and Maltese bring their trusted core text completely up to date Never losing sight of the historical foundations of the office the authors maintain a delicate balance as they examine the presidency through a modern lens **Presidential Machismo** Alexander DeConde,2000 A look at the expansion of executive authority in America and the influence of scholars journalists and presidents themselves *William Howard Taft's Constitutional Progressivism* Kevin J. Burns,2021-05-26 In *William Howard Taft s Constitutional Progressivism* Kevin J Burns makes a compelling case that Taft s devotion to the Constitution of 1787 contributed to his progressivism In contrast to the majority of scholarship which has viewed Taft as a reactionary conservative because of his constitutionalism Burns explores the ways Taft s commitment to both the Constitution and progressivism drove his political career and the decisions he made as president and chief justice Taft saw the Constitution playing a positive role in American political life recognizing that it created a national government strong enough to enact broad progressive reforms In reevaluating Taft s career Burns highlights how Taft rejected the *laissez faire* school which taught that the Government ought to do nothing but run a police force Recognizing that the massive industrial changes following the Civil War had created a plethora of socioeconomic ills Taft worked to expand the national government s initiatives in the fields of trust busting land conservation tariff reform railroad regulation and worker safety law Burns offers a fuller understanding of Taft and his political project by emphasizing Taft s belief that the Constitution could play a constructive role in American political life by empowering the government to act and by undergirding and protecting the reform legislation the government implemented Moreover Taft recognized that if the Constitution could come to the aid of progressivism political reform might also redound to the benefit of the Constitution by showing its continued relevance and workability in modern America Although Taft s efforts to promote significant policy

level reforms attest to his progressivism his major contribution to American political thought is his understanding of the US Constitution as a fundamental law not a policy oriented document In many ways Taft can be thought of as an originalist yet his originalism was marked by a belief in robust national powers Taft s constitutionalism remains relevant because while his principles seem foreign to modern legal discourse his constitutional vision offers an alternative to contemporary political divisions by combining political progressivism liberalism with constitutional conservatism *Executing the Constitution* ,

Constitutional Dysfunction on Trial Jasmine Farrier,2019-12-15 In an original assessment of all three branches Jasmine Farrier reveals a new way in which the American federal system is broken Turning away from the partisan narratives of everyday politics Constitutional Dysfunction on Trial diagnoses the deeper and bipartisan nature of imbalance of power that undermines public deliberation and accountability especially on war powers By focusing on the lawsuits brought by Congressional members that challenge presidential unilateralism Farrier provides a new diagnostic lens on the permanent institutional problems that have undermined the separation of powers system in the last five decades across a diverse array of partisan and policy landscapes As each chapter demonstrates member lawsuits are an outlet for frustrated members of both parties who cannot get their House and Senate colleagues to confront overweening presidential action through normal legislative processes But these lawsuits often backfire leaving Congress as an institution even more disadvantaged Jasmine Farrier argues these suits are more symptoms of constitutional dysfunction than the cure Constitutional Dysfunction on Trial shows federal judges will not and cannot restore the separation of powers system alone Fifty years of congressional atrophy cannot be reversed in court **The Case for Gridlock** Marcus E. Ethridge,2010-03-30 The Case for Gridlock explains how

Progressive ideas about government have led to severe representational problems in the American political system Having rejected the Framers institutional arrangement as sluggish and frustrating Progressives have for over a century worked to circumvent the Madisonian system by establishing policy making power in executive agencies and commissions Ironically the most consequential legacy of Progressivism is an institutional system that became more perfectly and efficiently responsive to the inherently unbalanced organized political power that they lament Drawing on an analysis of administrative law and decades of research on interest groups The Case for Gridlock explores the faulty logic and na ve thinking of the Progressive perspective revealing the uncertainties and anomalies in legal doctrine that have emerged as a result of their effort to graft efficient designs onto the gridlock prone system that James Madison and the other Framers left us The problems of interest group liberalism and the accumulation of powerful interests that undermine economic growth and political stability have long been recognized by political scientists and economists The Case for Gridlock argues that these problems are not inevitable and that a solution exists in reasserting the Constitutional Principle as the foundation for the design and operation of U S governmental institutions The public s interests can prevail over those of organized special interests by returning power to the gridlock prone institutional arrangement established in the Constitution [The Encyclopedia of Civil Liberties in](#)

America David Schultz, John R. Vile, 2015-04-10 Driven by the growing reality of international terrorism the threats to civil liberties and individual rights in America are greater today than at any time since the McCarthy era in the 1950s At this critical time when individual freedoms are being weighed against the need for increased security this exhaustive three volume set provides the most detailed coverage of contemporary and historical issues relating to basic rights covered in the United States Constitution The Encyclopedia of Civil Liberties in America examines the history and hotly contested debates surrounding the concept and practice of civil liberties It provides detailed history of court cases events Constitutional amendments and rights personalities and themes that have had an impact on our freedoms in America The Encyclopedia appraises the state of civil liberties in America today and examines growing concerns over the limiting of personal freedoms for the common good Complete with selected relevant documents and a chronology of civil liberties developments and arranged in A Z format with multiple indexes for quick reference The Encyclopedia of Civil Liberties in America includes in depth coverage of freedom of speech religion press and assembly as outlined in the first amendment protection against unreasonable search and seizure as outlined in the fourth amendment criminal due process rights as outlined in the fifth sixth seventh and eighth amendments property rights economic liberties and other rights found within the text of the United States Constitution Supreme Court justices presidents and other personalities focusing specifically on their contributions to or effect on civil liberties concepts themes and events related to civil liberties both practical and theoretical court cases and their impact on civil liberties

Guide to Congress CQ Press, 2012-08-10 The new edition of this comprehensive two volume reference has been thoroughly revised and expanded by expert CQ Press writers with years of experience covering Congress to offer a complete institutional history of Congress along with updated insight and analysis on the 2008 and 2010 shifts in power of the U S Senate and House of Representatives The 35 chapters of Guide to Congress Seventh Edition are divided into eight subject areas that cover all aspects of the U S Congress Origins and Development of Congress from the constitutional beginnings of the legislative branch to the histories of the House and Senate and their power shifts eras of partisanship and unity influential leaders and working relationships with presidents New coverage includes analysis of the tug of war between House Democrats and the George W Bush administration on Iraq war withdrawal timetables updates on criminal investigations of House members including William J Jefferson of Louisiana and Charles Rangel of New York and analysis of the Tea Party Movement and new Republican majority Powers of Congress including powers to tax spend and borrow to conduct foreign policy and investigations to confirm and impeach to regulate commerce to amend the Constitution and to select the president Updated material includes analysis of the George W Bush administration s use of immunity from questioning by congressional committees analysis of the signing of the new START treaty with Russia marking a cornerstone of U S relations with the country coverage of the War on Terror including the killing of bin Laden in a U S raid in Pakistan and perspective on the negotiations to raise the federal debt ceiling in 2011 Congressional Procedures detailing the party

and leadership structures rules and the legislative process the committee system assignment and procedures and congressional staff Revised coverage profiles the methods styles and legislative successes and defeats of House Speakers Pelosi and Boehner and Senate majority leader Reid The Guide also analyzes the new hyperpartisanship emerging in Congress and provides updates on congressional travel reforms and aide statistics and trends Pressures on Congress including influence from constituents political parties the president the Supreme Court lobbyists and the media New material explores the use of social media to communicate with constituents examines the role of the new Consumer Financial Protection Bureau and analyzes the Obama administration's relationship with Congress Housing and Support covering the U S Capitol House and Senate office buildings the Library of Congress and organizations such as the Government Accountability Office and the Congressional Research Service Updates are provided on new initiatives by the Library of Congress and reforms to the General Accounting Office Pay and Perquisites including honoraria and allowances franking and travel privileges and other benefits Updates include revised figures for congressional pay and benefits and analysis of efforts to control privately sponsored foreign travel Congress and the Electorate covering the right to vote the demographic composition of congress the role of parties in elections campaign financing and redistricting New information discusses elections statistics in recent elections the impact of third parties Tea Party gains and the creation of super PACs and 527 groups Qualifications and conduct detailing congressional ethics investigations and procedures for disciplining members Updated coverage reviews ethics investigations including the creation of the Office of Congressional Ethics Specific investigations and outcomes are discussed including the censure of Charles Rangel and disapproval of Joe Wilson's outburst during a speech by President Obama Volume 2 concludes with a selected bibliography and key reference materials a list of all members of congress who have served since 1789 congressional election results floor leaders and committee chairs dates for sessions of congress women black Asian and Hispanic members and many more Boxed features tables and figures and a generous number of photos enhance the topical coverage of this definitive resource on Congress

Presidential War Power
Louis Fisher, 2013-08-19 A classic and bestselling work by one of America's top Constitutional scholars *Presidential War Power* garnered the lead review in the New York Times Book Review and raised essential issues that have only become more timely relevant and controversial in our post 9/11 era In this third edition Louis Fisher updates his arguments throughout critiques the presidential actions of George W Bush and Barack Obama and challenges what he views as their dangerous expansion of executive power Spanning the life of the Republic from the Revolutionary Era to the War on Terror the new edition covers for the first time Indefinite detention of civilians and non civilians without trial President Obama's failed effort to close Guantanamo NSA wiretapping and Fourth Amendment violations Presidential decision making relating to the wind down of the wars in Iraq and Afghanistan U S military operations against Libya in 2011 Continued abuse of the state secrets privilege in national security court cases Secret legal memos justifying the use of UAVs or drones for targeted killings

overseas Extended comparison of the expansion of executive power under George W Bush and Barack Obama Debating the Presidency: Conflicting Perspectives on the American Executive, 2nd Edition Richard J. Ellis, Michael Nelson, 2010 The study of the presidency the power of the office the evolution of the executive as an institution the men who have served has generated a great body of research and scholarship What better way to get students to grapple with the ideas of the literature than through conflicting perspectives on some of the most pivotal issues facing the modern presidency Richard Ellis and Michael Nelson have once again assembled a cadre of top scholars to offer a series of pro con essays that will inspire spirited debate beyond the pages of the book Each essay written in the form of a debate resolution offers a compelling yet concise view on the American executive In essays that are new to this edition contributors debate the repeal of the 22nd Amendment the abolition of the vice presidency the extent to which presidential signing statements threaten the separation of powers and whether the fighting of the war on terror should require relaxing checks on presidential power Ellis and Nelson introduce each pair of essays giving students context and preparing them to read each argument critically so they can decide for themselves which side of the debate they find most persuasive **An Introduction to Government and Politics** M. O. Dickerson, Thomas Flanagan, 2002 **Presidential Government** Benjamin Ginsberg, 2016-05-28 Noted political scientist Benjamin Ginsberg has written an essential text for courses on the United States presidency An invaluable resource Ginsberg's comprehensive analysis emphasizes the historical constitutional and legal dimensions of presidential power He explores the history and essential aspects of the office the president's relationship to the rest of the executive branch and to a subordinated Congress and the evolution of the American president from policy executor to policy maker Compelling photo essays delve into topics of special interest including First Spouses Presidential Eligibility and Congressional Investigations of the White House Presidential Policies on Terrorism D. Starr-Deelen, 2014-05-01 The book analyzes how the administrations of Ronald Reagan George H W Bush Bill Clinton and George W Bush used force in response to incidents of international terrorism providing comparison between each of the administrations as they grappled with the evolving nature and role of terrorism in the United States and abroad **The Unitary Executive and the Modern Presidency** Ryan J. Barilleaux, Christopher S. Kelley, 2010-04-07 During his first term in office Pres George W Bush made reference to the unitary executive ninety five times as part of signing statements proclamations and executive orders Pres Barack Obama's actions continue to make issues of executive power as timely as ever Unitary executive theory stems from interpretation of the constitutional assertion that the president is vested with the executive power of the United States In this groundbreaking collection of studies eleven presidential scholars examine for the first time the origins development use and future of this theory The Unitary Executive and the Modern Presidency examines how the unitary executive theory became a recognized constitutional theory of presidential authority how it has evolved how it has been employed by presidents of both parties and how its use has affected and been affected by U S politics This book also examines the constitutional political and

even psychological impact of the last thirty years of turmoil in the executive branch and the ways that controversy has altered both the exercise and the public's view of presidential power *The Black Robe and the Bald Eagle* Randall Walton Bland, 1996 Several questions have arisen from this crisis Does the United States Constitution make the President the sole organ for the formulation of foreign policy including the decision to go to war How has the Supreme Court resolved these critical issues in light of the more than 200 limited or presidential wars What if any are the responsibilities of Congress in the formulation and conduct of American foreign policy **The Postmodern Presidency** Steven E. Schier, 2012-02-15 Choice Outstanding Academic Book As America's first truly postmodern president Bill Clinton experienced both great highs and stunning lows in office that will shape the future course of American politics Clinton will forever be remembered as the first elected president to be impeached but will his tarnished legacy have lasting effects on America's political system Including the conflict in Kosovo the World Trade Organization meeting in Seattle and new developments in the 2000 presidential campaign *The Postmodern Presidency* is the most comprehensive and current assessment of Bill Clinton's presidency available in print *The Postmodern Presidency* examines Clinton's role in redefining the institution of the presidency and his affect on future presidents economic and foreign policies The contributors highlight the president's unprecedented courtship of public opinion how polls affected policy how the president gained celebrity status how Clinton's postmodern style of public presidency helped him survive the 1994 elections and impeachment and how all of this might impact future presidents This new text also demonstrates how the Clinton presidency changed party politics in the public and in Congress with long term implications and costs to both Republicans and his own Democratic party while analyzing Clinton's effect on the 1990s culture wars the politics and importance of gender and the politics and policy of race This text is a must for anyone who studies teaches or has an interest in the American presidency and politics

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