

Constitutional Conflicts

Between
Congress and the
President

Fourth Edition, Revised

Louis

Fisher

Constitutional Conflicts Between Congress And The President

Chibli Mallat



Constitutional Conflicts Between Congress And The President:

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 Constitutional Roles of Congress and the President in Declaring and Waging War* United States.

Congress. Senate. Committee on the Judiciary, 1991 **The Politics of Shared Power** Louis Fisher, 1998 As Congress and the president battle out the federal deficit foreign involvements health care and other policies of grave national import the underlying constitutional issue is always the separation of powers doctrine In *The Politics of Shared Power* a classic text in the field of executive legislative relations Louis Fisher explains clearly and perceptively the points at which congressional and presidential interests converge and diverge the institutional patterns that persist from one administration and one Congress to another and the partisan dimensions resulting from the two party system Fisher also discusses the role of the courts in reviewing cases brought to them by members of Congress the president agency heads and political activists illustrating how court decisions affect the allocation of federal funds and the development and implementation of public policy He examines how the president participates as legislator and how Congress intervenes in administrative matters Separate chapters on the bureaucracy the independent regulatory commissions and the budgetary process probe these questions from different angles The new fourth edition addresses the line item veto and its tortuous history and prospects A

chapter on war powers and foreign affairs studies executive legislative disputes that affect global relations including the Iran Contra affair the Persian Gulf War in 1991 and American presence in conflicts such as Haiti and Bosnia An important new discussion focuses on interbranch collisions and gridlock as they have developed since 1992 Defending Congress and the Constitution Louis Fisher, 2011-09-07 The culmination of four decades of research and service on behalf of Congress Louis Fisher s latest work is a fitting capstone to a remarkable career as scholar and writer and presents his most articulate passionate and persuasive defense yet of Congress as an institution Our nation s leading authority on the separation of powers Fisher offers a lucid primer on our nation s government and its executive legislative and judicial branches while vigorously advocating a robust reassertion of Congress s rightful role within that system Drawing on a wide range of legislation Supreme Court rulings and presidential decisions Fisher illuminates the contentious contest among the three major branches for power and control of government presents a panorama of American history and touches on issues as wide ranging as federalism religious freedom and national security policy Fisher is especially critical of the stereotypical view of the Supreme Court s decisions as possessing a kind of effectiveness and absolute finality that transcends the efforts and powers of Congress Indeed he argues that Congress as much or more than the judiciary has had a major positive impact on protecting individual rights in this country while the judiciary has fallen short in such areas as child labor regulation and compulsory flag salute or has attempted to settle a constitutional issue only to have it fester for years breeding anger and resentment until the political process forces the courts rethink their views He highlights legislative accomplishments in many areas often in the face of judicial opposition and obstruction but also chides Congress for not protecting its key prerogatives over the power of the purse and going to war In yielding to other branches Fishers warns lawmakers fail to represent their constituents and cripple the very system of checks and balances the Framers counted on to limit the destructive capacity of government His book offers a wealth of forceful insights and provides an important reminder of and guide to how our government should really work **The Legal Structure of Defense Organization** John Norton Moore, 1986 **The**

Contested Removal Power, 1789-2010 J. David Alvis, Jeremy D. Bailey, F. Flagg Taylor IV, 2013-09-10 The U S Constitution is clear on the appointment of executive officials the president nominates the Senate approves But on the question of removing those officials the Constitution is silent although that silence has not discouraged strenuous efforts to challenge censure and even impeach presidents from Andrew Jackson to Bill Clinton As J David Alvis Jeremy D Bailey and Flagg Taylor show the removal power has always been and continues to be a thorny issue especially as presidential power has expanded dramatically during the past century Linking this provocative issue to American political and constitutional development the authors recount removal power debate from the Founding to the present day Understanding the historical context of outbreaks in the debate they contend is essential to sorting out the theoretical claims from partisan maneuvering and sectional interests enabling readers to better understand the actual constitutional questions involved After a detailed review

of the Decision of 1789 the book examines the initial assertions of executive power theory particularly by Thomas Jefferson and Andrew Jackson then the rise of the argument for congressional delegation beginning with the Whigs and ending with the impeachment of Andrew Johnson The authors chronicle the return of executive power theory in the efforts of Presidents Grant Hayes Garfield and Cleveland who all battled with Congress over removals then describe the emergence of new institutional arrangements with the creation of independent regulatory commissions They conclude by tracking the rise of the unitarians and the challenges that this school has posed to the modern administrative state Although many scholars consider the matter to have been settled in 1789 the authors argue that a Supreme Court case as recent as 2010 *Free Enterprise Fund v Public Company Accounting Oversight Board* shows the extent to which questions surrounding removal power remain unresolved and demand more attention Their work offers a more nuanced and balanced account of the debate teasing out the logic of the different institutional perspectives on this important constitutional question as no previous book has

National Security Lies Tung Yin, 2025-03-12 This thought provoking book details the national security lies told by presidents of the United States throughout history both to Congress and to the public Tung Yin explains how current laws do not set up sufficient prevention measures and proposes legislative reform to regulate such lies **President Obama** Louis Fisher, 2018-07-12 On the campaign trail Barack Obama spoke often about his constitutional principles In particular he objected to George W Bush's claim to certain inherent presidential powers that could not be checked by Congress or the judiciary After his inauguration how did President Obama's constitutional principles fare That is the question Louis Fisher explores in this book a disturbing and timely study of the tension between constitutional aspirations and executive actions in the American presidency A constitutional scholar Fisher views Obama's two terms within the context of other presidencies and in light of the principles set forth by the Framers His work reveals how the basic system of checks and balances has been substantially altered by Supreme Court decisions military initiatives and scholarship promoting the power of the president and by presidents progressively more inclined to wield that power In this analysis we see the steps by which Obama himself an expert on the Constitution came to press his agenda more and more aggressively through executive actions on climate change renewable energy the auto industry bail out education initiatives and financial reform Rather than focus on policy Fisher examines the politics and practical concerns that drive executive overreach as well as the impact of such expanded powers on bipartisan support public understanding and finally the functioning of government A fair but critical assessment of Obama's executive performance and legacy this sobering book documents the erosion of constitutional principles that prepared the way for the presidency of Donald Trump *Divided America on the World Stage* Howard J. Wiarda, 2009-10-31 How America's political divisions influence our foreign policy *The Unitary Executive Theory* Jeffrey Crouch, Mark J. Rozell, Mitchel A. Sollenberger, 2020-11-30 I have an Article II Donald Trump has announced citing the US Constitution where I have the right to do whatever I want as president Though this statement would have come as a shock to the framers of the

Constitution it fairly sums up the essence of the unitary executive theory This theory which emerged during the Reagan administration and gathered strength with every subsequent presidency counters the system of checks and balances that constrains a president's executive impulses It also the authors of this book contend counters the letter and spirit of the Constitution In their account of the rise of unitary executive theory over the last several decades the authors refute the notion that this overweening view of executive power has been a common feature of the presidency from the beginning of the Republic Rather they show it was invented under the Reagan Administration got a boost during the George W Bush administration and has found its logical extension in the Trump administration This critique of the unitary executive theory reveals it as a misguided model for understanding presidential powers While its adherents argue that greater presidential power makes government more efficient the results have shown otherwise Dismantling the myth that presidents enjoy unchecked plenary powers the authors advocate for principles of separation of powers of checks and balances that honor the Constitution and support the republican government its framers envisioned A much needed primer on presidential power from the nation's founding through Donald Trump's impeachment **The Unitary Executive Theory A Danger to Constitutional Government** makes a robust and persuasive case for a return to our constitutional limits **American Constitutional Law** Alpheus Thomas Mason, Grier Stephenson, 2015-08-07 This classic collection of carefully selected and edited Supreme Court case excerpts and comprehensive background essays explores constitutional law and the role of the Supreme Court in its development and interpretation Well grounded in both theory and politics it endeavors to heighten students understanding of and interest in these critical areas of our governmental system **Computer Security Act of 1987** United States. Congress. House. Committee on Government Operations. Legislation and National Security Subcommittee, 1987 **Executing the Constitution** , **The Oxford Handbook of the American Presidency** George C. Edwards, William G. Howell, 2011-08-04 With engaging new contributions from major figures in the field The Oxford Handbook of the American Presidency provides the key point of reference for anyone working in American politics today **The Law of the Executive Branch** Louis Fisher, 2014 The Law of the Executive Branch Presidential Power places the law of the executive branch firmly in the context of constitutional language framers intent and more than two centuries of practice Each provision of the US Constitution is analyzed to reveal its contemporary meaning and in concert with the application of presidential power **Philosophy of Nonviolence** Chibli Mallat, 2015 In 2011 the Middle East saw the dictators of Tunisia Egypt and Yemen deposed in a matter of weeks by non violent marches Imprecisely described as the Arab Spring the revolution has been convulsing the whole region It failed in some countries and was not sustained in others after the dictators fall Beyond this uneven course Philosophy of Nonviolence examines how 2011 may have ushered in a fundamental break in the human journey one animated by non violence which the book argues is the new anima of the philosophy of history **Presidential Signing Statements Accompanying the Fiscal Year 2006 Appropriations Acts** Gary L. Kepplinger, 2007-10 **Presidential Signing**

Statements Accompanying the Fiscal Year 2007 Appropriations Acts, 2007 The Oxford Companion to the Supreme Court of the United States , **The ^AOxford Companion to the Supreme Court of the United States** Kermit L. Hall, 2005-05-19 A superb one volume resource on the United States Supreme Court this second edition includes new entries on key cases and fully updated treatment of hot button issues of constitutional law such as abortion freedom of religion school desegregation freedom of speech voting rights military tribunals and the rights of the accused These developments make the second edition of this accessible and authoritative guide essential for judges lawyers academics journalists and anyone interested in the impact of the Court s decisions on American society

Constitutional Conflicts Between Congress And The President Book Review: Unveiling the Magic of Language

In an electronic era where connections and knowledge reign supreme, the enchanting power of language has become more apparent than ever. Its capability to stir emotions, provoke thought, and instigate transformation is really remarkable. This extraordinary book, aptly titled "**Constitutional Conflicts Between Congress And The President**," compiled by a very acclaimed author, immerses readers in a captivating exploration of the significance of language and its profound impact on our existence. Throughout this critique, we will delve to the book's central themes, evaluate its unique writing style, and assess its overall influence on its readership.

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