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Constitutional Power And World Affairs

George Sutherland



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international law from its inception to the present day Addressing treaties the direct application of customary international law and the use of international law as an interpretive tool this book examines all the cases or lines of cases in which international law has played a material role showing how the Court s treatment of international law both changed and remained consistent over the period Although there was substantial continuity in the Supreme Court s international law doctrine through the end of the nineteenth century the past century has been a time of tremendous doctrinal change Few aspects of the Court s international law doctrine remain the same in the twenty first century as they were two hundred years ago

Report of the Committee on the Judiciary, House of Representatives ... Identifying Court Proceedings and Actions of Vital Interest to the Congress , Foreign Affairs Federalism Michael J. Glennon, Robert D. Sloane, 2016

Foreign Affairs Federalism provides the first comprehensive study of the constitutional law and practice of federalism in the conduct of U S foreign relations Glennon and Sloane examine in detail the considerable foreign affairs powers retained by the states under the Constitution and question the need for Congress or the president to step in to provide one voice in foreign affairs They present concrete realistic ways that the courts can update antiquated federalism precepts and untangle interwoven strands of international law federal law and state law *The National Security Constitution in the Twenty-First Century* Harold Hongju Koh, 2024-06-25 A deeply researched fully updated edition of *The National Security Constitution* that explores the growing imbalance of institutional powers in American foreign affairs and national security policy Since the beginning of the American Republic a package of norms has evolved in the U S Constitution to protect the operation of checks and balances in national security policy This *National Security Constitution* promotes shared powers and balanced institutional participation in foreign policymaking Today it is under attack from a competing claim of executive unilateralism generated by recurrent patterns of presidential activism congressional passivity and judicial tolerance This dynamic has pushed presidents of both parties to press the limits of law in foreign affairs In his award winning *National Security Constitution* 1990 Harold Hongju Koh traced the evolution of this constitutional struggle across America s history This new book based on the earlier volume but with roughly 70 percent new material brings the story to the present placing recent events into constitutional perspective Reviewing the presidencies of the twenty first century he explains why modern national security threats have given presidents of both parties incentives to monopolize foreign policy decision making Congress incentives to defer and the courts reasons to rubber stamp Koh suggests both a workable strategy and crucial prescriptions to restore the balance of our constitutional order in addressing modern global crises *The Powers of the Presidency* , 2013 This is a comprehensive and illustrative work on the historical and contemporary perspective on presidential powers guiding readers through the presidency as a constitutional office with many updated features from the previous edition

Government Secrecy United States. Congress. Senate. Committee on Government Operations. Subcommittee on Intergovernmental Relations, 1974 **Government Secrecy** United States. Congress. Senate. Government Operations, 1974

Hearings, Reports and Prints of the Senate Committee on Government Operations United States. Congress. Senate. Committee on Government Operations, 1974 Foreign Affairs and the Constitution in the Age of Fighting Sail William R. Casto, 2006 Setting his examination of the Neutrality Crisis of 1793 against the fiery backdrop of marauding French privateers the French foreign minister's diplomatic fiasco and pro French rallies in the port of Charleston South Carolina William R Casto brings to life the first test of President George Washington's administration to establish a national foreign policy and to implement the separation of powers principles of the U S Constitution Casto's Foreign Affairs and the Constitution in the Age of Fighting Sail recounts the efforts of the French revolutionary republic to obtain support from the United States in its war with Great Britain This situation forced Washington Thomas Jefferson John Jay James Madison Alexander Hamilton and other founding fathers to wrestle for the first time with many of the problems inherent in the Constitution's allocation of powers between states and nation and among the three branches of government Casto argues that the insights of the nation's founders into about the Constitution and international affairs are as valuable and instructive today as they were in 1793 Concentrating on the legal issues generated by the French maritime campaign especially those rooted in constitutional debate Casto illumines the continuing contest between Hamilton and Jefferson two men who personified the conflict over the definition of neutrality rights Casto offers close readings of Hamilton's *Pacificus* and Madison's *Helvidius* papers and of the Supreme Court's legendary refusal to advise the president Bridging legal political and diplomatic history Casto maps the rough processes by which the founders moved from abstract theorizing to an implementation of the Constitution in the context of specific and highly controversial international incidents **Survey of Activities of the Committee on Foreign Affairs** United States. Congress. House. Committee on Foreign Affairs, 1975

The Constitution in Congress David P. Currie, 1997-05-15 Thus the First Congress left us a rich legacy of arguments over the meaning of a variety of constitutional provisions and the quality of those arguments was impressively high Exercising Congress's Constitutional Power to End a War United States. Congress. Senate. Committee on the Judiciary, 2009

Relations in a Multipolar World United States. Congress. Senate. Committee on Foreign Relations, 1991 Foreign Relations Federalism Thomas Verellen, 2023 Through a comparative analysis of the United States Canada Belgium and the EU this book examines the constitutional framework in which foreign relations are conducted in federal unions In doing so this book contributes to debates on how the EU's foreign affairs constitution should be structured

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