

Constitutional Conflicts

Between
Congress and the
President

Fourth Edition, Revised

Louis

Fisher

Constitutional Conflicts Between Congress And The President

Louis Fisher



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 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

The Constitutional Roles of Congress and the President in Declaring and Waging War United States. Congress. Senate. Committee on the Judiciary, 1991

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

Acting Alone Bradley F. Podliska, 2010-03-16 Acting Alone A Scientific Study of American Hegemony and Unilateral Use of Force Decision Making is a straight forward analysis of unilateral U S military actions which are dependent upon the power disparity between the U S and the rest of the world In solving the puzzle as to why individual presidents have made the wrong decision to act alone the author lays out a president s behavior during a crisis as a two step decision process Acting Alone reviews the well studied first decision deciding to use force based on international conflict literature and organized along traditional lines The author then details the second decision deciding to use unilateral force with an explanation of the criticisms of multilateralism and the reasons for unilateralism To test a new theory of unilateral use of force decision making Acting Alone devises a definition and coding rules for unilateral use of force develops a sequential model of presidential use of force decision making and constructs a new alternative measure of military power a Composite Indicator of Military Revolutions CIMR It then uses three methods a statistical test with a heckman probit

model an experiment and case studies to test U S crisis behavior since 1937 By applying these three methods the author finds that presidents are realists and make expected utility calculations to act unilaterally or multilaterally after their decision to use force The unilateral decision in particular positively correlates with a wide military gap with an opponent an opponent located in the Western hemisphere and a national security threat [Congress](#) Louis Fisher,2016-02-19 When asked which branch of government protects citizens rights we tend to think of the Supreme Court stepping in to defend gay rights for example in the recent same sex marriage case But as constitutional scholar Louis Fisher reveals in his new book this would be a mistake and not just because a decision like the gay marriage ruling can be decided by the opinion of a single justice Rather we tend to judge the executive and judicial branches idealistically while taking a more realistic view of the legislative with its necessarily messier and more transparent workings In Congress Fisher highlights these biases as he measures the record of the three branches in protecting individual rights and finds that Congress far more than the president or the Supreme Court has defended the rights of blacks women children Native Americans and religious liberty After reviewing the constitutional principles that apply to all three branches of government Fisher conducts us through a history of struggles over individual rights showing how the court has frequently failed at many critical junctures where Congress has acted to protect rights He identifies changes in the balance of power over time a post World War II transformation that has undermined the system of checks and balances the Framers designed to protect individuals in their aspiration for self government Without a strong independent Congress this book reminds us our system would operate with two elected officers in the executive branch and none in the judiciary a form of government best described as elitist and one no one would deem democratic In light of the history that unfolds here and in view of a Congress widely decried as dysfunctional Fisher proposes reforms that would strengthen not only the legislative branch s role in protecting individual rights under the Constitution but also its standing in the democracy it serves *The Presidents and the Constitution, Volume One* Ken Gormley,2022-09-27 The Presidents and the Constitution explores the evolution of constitutional thought from the Founding Fathers to the progressive era [Congressional Procedures and the Policy Process](#) Walter J. Oleszek,Mark J. Oleszek,Elizabeth Rybicki,Bill Heniff Jr.,2019-09-19 The book does an outstanding job in covering all the necessary details on congressional rules and procedures most of which are not easy to understand It has been and will remain to be a must read for all the congressional politics students and Washington insiders Hong Min Park University of Wisconsin Milwaukee Congressional Procedures and the Policy Process examines the entire arc of the legislative process from a bill s introduction to its signature into law to congressional review of the law s administrative implementation and the many procedural pitfalls that exist along the way Author Walter J Oleszek and co authors Mark Oleszek Elizabeth Rybicki and Bill Heniff Jr do not shy away from the complexity of the topic yet they ensure that the operations of Congress are understandable to students and practitioners alike Through an array of interesting examples case studies and the authors personal anecdotes this definitive work delivers

timely explanation and analysis of the nation's premier lawmaking institution *Congress, the Court, and the Constitution*
United States. Congress. House. Committee on the Judiciary. Subcommittee on the Constitution, 1999 **The**
Contemporary American President Robert E DiClerico, 2016-12-05 Debuting in its first edition *The Contemporary*
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