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UNCHECKED and UNBALANCED

Presidential Power in a Time of Terror

Frederick A.O. Schwarz Jr. and Aziz Z. Huq

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Unchecked And Unbalanced Presidential Power In A Time Of Terror

Frederick A.O. Schwarz Jr., Aziz Z. Huq



Unchecked And Unbalanced Presidential Power In A Time Of Terror:

Unchecked And Unbalanced Frederick A.O. Schwarz Jr., Aziz Z. Huq, 2011-05-10 Thirty years after the Church Committee unearthed COINTELPRO and other instances of illicit executive behavior on the domestic and international fronts the Bush administration has elevated the flaws identified by the committee into first principles of government Through a constellation of non public laws and opaque unaccountable institutions the current administration has created a secret presidency run by classified presidential decisions and orders about national security A hyperactive Office of Legal Counsel in the Department of Justice is intent on eliminating checks on presidential power and testing that power s limits Decisions are routinely executed at senior levels within the civilian administration without input from Congress or the federal courts let alone our international allies Secret NSA spying at home is the most recent of these Harsh treatment of detainees extraordinary renditions secret foreign prisons and the newly minted enemy combatant designation have also undermined our values The resulting policies have harmed counterterrorism efforts and produced few tangible results With a partisan Congress predictably reluctant to censure a politically aligned president it is all the more important for citizens themselves to demand disclosure oversight and restraint of sweeping claims of executive power This book is the first step

The Case for Congress Victor M. Hansen, Lawrence Meir Friedman, 2009 Examining the constitutional relationship between Congress and the President in the post September 11 world this book focuses on the constitutional authority of Congress to serve as a check on executive decision making The Case for Congress offers recom

The Presidency of George W. Bush Julian E. Zelizer, 2010-09-13 An in depth look at Bush s presidency by some of America s top historians The Presidency of George W Bush brings together some of today s top American historians to offer the first in depth look at one of the most controversial U S presidencies Emotions surrounding the Bush presidency continue to run high conservatives steadfastly defend its achievements liberals call it a disgrace This book examines the successes as well as the failures covering every major aspect of Bush s two terms in office It puts issues in broad historical context to reveal the forces that shaped and constrained Bush s presidency and the ways his presidency reshaped the nation The Presidency of George W Bush features contributions by Mary L Dudziak Gary Gerstle David Greenberg Meg Jacobs Michael Kazin Kevin M Kruse Nelson Lichtenstein Fredrik Logevall Timothy Naftali James T Patterson and the book s editor Julian E Zelizer Each chapter tackles some important aspect of Bush s administration such as presidential power law the war on terror the Iraq invasion economic policy and religion and helps readers understand why Bush made the decisions he did Taking readers behind the headlines of momentous events the contributors show how the quandaries of the Bush presidency were essentially those of conservatism itself which was confronted by the hard realities of governance They demonstrate how in fact Bush frequently disappointed the Right and how Barack Obama s 2008 election victory cast the very tenets of conservatism in doubt History will be the ultimate judge of Bush s legacy and the assessment begins with this book

Executive Power and Its Constitutional

Limitations United States. Congress. House. Committee on the Judiciary, 2009 **The War Power in an Age of Terrorism** Michael A. Genovese, David Gray Adler, 2016-12-22 This book features a lively debate between two prominent scholars Michael A Genovese and David Gray Adler on the critical issue of whether the Constitution written in the 18th Century remains adequate to the national security challenges of our time The question of the scope of the president's constitutional authority if any to initiate war on behalf of the American people long the subject of heated debate in the corridors of power and the groves of academe has become an issue of surpassing importance for a nation confronted by existential threats in an Age of Terrorism This question should be thoroughly reviewed and debated by members of Congress and considered by all Americans before they are asked to go to war If the constitutional allocation of powers on matters of war and peace is outdated what changes should be made Is there a need to increase presidential power What role should Congress play in the war on terror Orchestrating the Instruments of Power D. Robert Worley, 2015-07-15 National security a topic routinely discussed behind closed doors by Washington's political scientists and policy makers is believed to be an insider's game All too often this highly specialized knowledge is assumed to place issues beyond the grasp and interest of the American public Author D Robert Worley disagrees The U S national security system designed after World War II and institutionalized through a decades long power conflict with the Soviet Union is inadequate for the needs of the twenty first century and while a general consensus has emerged that the system must be transformed a clear and direct route for a new national security strategy proves elusive Furnishing the tools to assist in future national security reforms *Orchestrating the Instruments of Power* articulates and synthesizes the concepts of America's economic political and military instruments of power *The Tyranny of Good Intentions* Paul Craig Roberts, Lawrence M. Stratton, 2008-03-25 A thousand years of legal protections against tyranny are being stolen right before our eyes Under the guise of good intentions personal liberties as old as the Magna Carta have become casualties in the wars being waged on pollution drugs white collar crime and all of the other real and imagined social ills The result innocent people caught up in a bureaucratic web that destroys lives and livelihoods businesses shuttered because of victimless infractions a justice system that values coerced pleas over the search for truth bullying police agencies empowered to confiscate property without due process A devastating indictment of our current system of justice Milton Friedman In this provocative book Paul Craig Roberts and Lawrence M Stratton show how the law which once shielded us from the government has now become a powerful weapon in the hands of overzealous prosecutors and bureaucrats Lost is the foundation upon which our freedom rests the intricate framework of Constitutional limits that protect our property our liberty and our lives Roberts and Stratton convincingly argue that this abuse of government power doesn't have ideological boundaries Indeed conservatives and liberals alike use prosecutors regulators and courts to chase after their own favorite devils to seek punishment over justice and expediency over freedom The authors present harrowing accounts of people both rich and poor of CEOs and blue collar workers who have fallen victim to the

tyranny of good intentions who have lost possessions careers loved ones and sometimes even their lives This book is a sobering wake up call to reclaim that which is rightly ours liberty protected by the rule of law **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

Constitution of Imperium Ronnie D. Lipschutz,2015-12-03 The title of this book is a play upon several important concepts and forces in the ongoing debate about American empire Since September 11 2001 the Bush administration and its counsels in the U S Department of Justice have been both constituting an empire of American hegemony and in so doing violating the spirit and the law of the American Constitution at home and abroad The U S Constitution has been doing work in the nonsovereign spaces of Guantanamo Bay Cuba Abu Ghraib Baghdad and CIA black detention sites around the world The reach of this constitution is becoming visible in National Security Agency surveillance and data mining of electronic communications between the United States and the rest of the world and in a myriad of other regulatory and legal demands made by the United States both of its citizens and of those living in and traveling among other countries And in testing the limits of its wished for powers the Bush administration seeks to constitute an imperium that by its own definition would be nowhere subject to the long assumed checks of either the U S Constitution Congress the courts or international law for it operates outside of the boundaries of American sovereignty in defiance of the international community and the United Nations and in violation of the law of nations This book is the latest and perhaps sharpest entry in the burgeoning literature of American empire since Hardt and Negri Its focus on the legal and institutional aspects of empire sets it apart from the literature on this subject The Development of the American Presidency Richard J. Ellis,2013-06-17 Our understanding of the politics of the presidency is greatly enhanced by viewing it through a developmental lens analyzing how historical turns have shaped the modern institution The Development of the American Presidency pays great attention to that historical weight but is organized topically and conceptually with the constitutional origins and political development of the presidency its central focus Through comprehensive and in depth coverage this text looks at how the presidency has evolved in relation to the public to Congress to the Executive branch and to the law showing at every step how different aspects of the presidency have followed distinct trajectories of change All the while Ellis illustrates the institutional relationships and tensions through stories about particular individuals and specific political conflicts Ellis s own classroom pedagogy of promoting active learning and critical thinking is well reflected in these pages Each chapter begins with a narrative account of some illustrative puzzle that brings to life a central concept A wealth of photos figures and tables allow for the visual presentations of concepts A companion website not only acts as a further resources base directing students to primary documents newspapers and data sources but also presents interactive timelines practice quizzes and key terms to help

students master the book's lessons The Year's Work in Nerds, Wonks, and Neocons Jonathan P. Eburne, Benjamin Schreier, 2017-04-17 Essays on intellect passion alienation and America's geeky subcultures What happens when math nerds band and theater geeks goths sci fi fanatics Young Republican debate poindexters techies Trekkies D D players wallflowers bookworms and RPG players grow up And what can they tell us about the life of the mind in the contemporary United States With recent years bringing us phenomena from GamerGate to The Big Bang Theory it's clear that nerds policy wonks and neoconservatives play a major role in today's popular culture The Year's Work in Nerds Wonks and Neocons delves into subcultures of intellectual history to explore their influence on contemporary American intellectual life Not limiting themselves to describing how individuals are depicted the authors consider the intellectual endeavors these depictions have come to represent exploring many models and practices of learnedness reflection knowledge production and opinion in the contemporary world As teachers researchers and university scholars continue to struggle for mainstream visibility this book illuminates the other forms of intellectual excitement that have emerged alongside them and found ways to survive and even thrive in the face of dismissal or contempt Aligning Ends, Ways, and Means D. Robert Worley, 2011-12-08 After four decades of relative stability in national security strategy American behavior has been erratic in search of a new and sustainable role on the world stage Rather than facing an ideologically driven great power alliance the new threat appears to be emanating from failed or failing states And rather than preparing to deter and if necessary defeat a military super power the United States has entered into long costly and uncertain nation building efforts that are falling out of favor with the American public facing a deep recession Nation building efforts in Iraq and Afghanistan have exposed an imbalance in the capabilities of the departments and agencies and an inability to achieve a unity of effort a whole of government effort High level commissions recommend a reallocation of resources to achieve a new balance in the instruments of power and major reorganizations to affect a better orchestration of the instruments Others are completely redefining national security Traditionally threats to national security were military problems with military solutions What were considered issues of foreign policy including pandemics and environmental degradation are increasingly cast as national security matters They are not military problems with military solutions A national security strategy aligns ends ways and means Finding a new alignment must take place in an environment of a deep and wide recession partisan gridlock and uncertainty about the very meaning of national security This book presents the reader with the information necessary to engage in an informed debate on national security strategy and the system that supports it **Transparency and American Primacy in World Politics** James J. Marquardt, 2016-02-24 At a time when greater transparency is needed this book advances a novel explanation of America's efforts to advance greater transparency in international relations Marquardt argues that American statesmen have long sought to secure an American dominated international system to encourage states to be more open and forthcoming about their internal affairs Yet the United States routinely uses its calls for military transparency in particular as a policy

instrument to discipline its rivals and therefore paradoxically contributes to greater tension in international relations In contrast to conventional thinking about transparency in relation to overcoming power politics and promoting international cooperation this book explores the relationship between America s power and international security competition Though analytically distinct openness and transparency have served the same strategic goal ensuring America s position of preponderance in the international system

Spy Watching Loch K. Johnson, 2018 All democracies have had to contend with the challenge of tolerating hidden spy services within otherwise relatively transparent governments Democracies pride themselves on privacy and liberty but intelligence organizations have secret budgets gather information surreptitiously around the world and plan covert action against foreign regimes Sometimes they have even targeted the very citizens they were established to protect as with the COINTELPRO operations in the 1960s and 1970s carried out by the Federal Bureau of Investigation FBI against civil rights and antiwar activists In this sense democracy and intelligence have always been a poor match Yet Americans live in an uncertain and threatening world filled with nuclear warheads chemical and biological weapons and terrorists intent on destruction Without an intelligence apparatus scanning the globe to alert the United States to these threats the planet would be an even more perilous place In *Spy Watching* Loch K Johnson explores the United States travails in its efforts to maintain effective accountability over its spy services Johnson explores the work of the famous Church Committee a Senate panel that investigated America s espionage organizations in 1975 and established new protocol for supervising the Central Intelligence Agency CIA and the nation s other sixteen secret services Johnson explores why partisanship has crept into once neutral intelligence operations the effect of the 9 11 attacks on the expansion of spying and the controversies related to CIA rendition and torture programs He also discusses both the Edward Snowden case and the ongoing investigations into the Russian hack of the 2016 US election Above all *Spy Watching* seeks to find a sensible balance between the twin imperatives in a democracy of liberty and security Johnson draws on scores of interviews with Directors of Central Intelligence and others in America s secret agencies making this a uniquely authoritative account

Encyclopedia of Global Justice Deen K. Chatterjee, 2012-01-23 This two volume Encyclopedia of Global Justice published by Springer along with Springer s book series Studies in Global Justice is a major publication venture toward a comprehensive coverage of this timely topic The Encyclopedia is an international interdisciplinary and collaborative project spanning all the relevant areas of scholarship related to issues of global justice and edited and advised by leading scholars from around the world The wide ranging entries present the latest ideas on this complex subject by authors who are at the cutting edge of inquiry The Encyclopedia sets the tone and direction of this increasingly important area of scholarship for years to come The entries number around 500 and consist of essays of 300 to 5000 words The inclusion and length of entries are based on their significance to the topic of global justice regardless of their importance in other areas

[US National Security, Intelligence and Democracy](#) Russell A. Miller, 2008-07 This volume examines the investigation by the 1975 Senate Select Committee

Church Committee into US intelligence abuses during the Cold War and considers its lessons for the current war on terror. This report remains the most thorough public record of America's intelligence services and many of the legal boundaries operating on US intelligence agencies today are the direct result of reforms proposed by the Church Committee including the Foreign Intelligence Surveillance Act. The Church Committee also drew attention to the importance of constitutional government as a Congressional body overseeing the activities of the Executive branch. Placing the legacy of the Church Committee in the context of the contemporary debate over US national security and democratic governance, the book brings together contributions from distinguished policy leaders and scholars of law, intelligence and political science. The Oxford Handbook of National Security Intelligence Loch K. Johnson, 2025-10-10. The second edition of *The Oxford Handbook of National Security Intelligence* is a thoroughly updated state of the art work on the role of secret agencies in defending the democracies and intelligence activities in authoritarian regimes. Throughout contributors factor in broader historical and political contexts that are integral to understanding how intelligence agencies function in our information dominated age. *The Rule of Law in Retreat* Slawomir Redo, 2022-03-22. In the past decade the Rule of Law developments in the world have become contentious; its idea, concept and global implementation have met growing resistance which may soon shift the global balance of power, prompting international crisis. This book offers insights into the globally relevant Rule of Law ramifications for human rights, constitutional law and philosophy of law in the time of such considerable challenges to it. From this legal perspective the contributors analyze the questions of independence of judiciary, liberal education, freedom of mass media, populism and corruption. They discuss global civic education, enhanced social inclusion, violence prevention, restorative justice and other methods of civic participation that can create larger opportunities for freedom in a UN world and help overcome increased ideological division between global North and South. **The Threat on the Horizon** Loch K. Johnson, 2011-02-09. The Aspin-Brown Commission of 1995-1996 led by former U.S. Defense Secretaries Les Aspin and Harold Brown was a landmark inquiry into the activities of America's secret agencies. The purpose of the commission was to help the Central Intelligence Agency and other organizations in the U.S. intelligence community adapt to the quite different world that had emerged after the end of the Cold War in 1991. In *The Threat on the Horizon*, eminent national security scholar Loch K. Johnson, who served as Aspin's assistant, offers a comprehensive insider's account of this inquiry. Based on a close sifting of government documents and media reports, interviews with participants and above all his own eyewitness impressions, Johnson's thorough history offers a unique window onto why the terrorist attacks of 2001 caught the United States by surprise and why the intelligence community failed again in 2002 when it predicted that Iraq possessed weapons of mass destruction. It will be the first published account by an insider of a presidential commission on intelligence, a companion volume to Johnson's acclaimed study of the Church Committee investigation into intelligence in 1975, *A Season of Inquiry*. This examination of the Aspin-Brown Commission is an invaluable source for anyone interested in how the intelligence agencies of the world's

most powerful nation struggled to confront new global threats that followed the collapse of the Soviet empire and why Washington D C was unprepared for the calamities that would soon arise Social Problems CQ Researcher,2009-09-04

Social Problems is a contemporary collection of articles covering core issues within the broad topic of social problems The book is intended to supplement core courses in the Sociology curriculum titled Social Problems Introductory Sociology Principles of Sociology among other similarly titled courses The book has a 4 part structure of topics generally covered in social problems courses and texts The Bases of Inequality Our Social Institutions Our Social and Physical Worlds and Individual Action and Social Change In total there are 16 articles

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