

UNCHECKED and UNBALANCED

Presidential Power in a Time of Terror

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



Unchecked And Unbalanced Presidential Power In A Time Of Terror

Bryan D. Jones, Walter Williams



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 **Executive Power and Its Constitutional Limitations** United States. Congress. House. Committee on the Judiciary,2009 **Two Presidents Are Better Than One** David Orentlicher,2013-03-11 Many Americans are unsatisfied with politics Simultaneously we are hesitant to question the basic soundness of our constitutional system In this refreshingly provocative book David Orentlicher explains why it is due time for us to reconsider dominant ideas about the presidency now arguably our most powerful political institution Challenging the conventional wisdom that the best executive is necessarily a unitary executive Orentlicher makes a wonderful case for why two presidents are better than one Sure to be of interest to political scientists legal scholars as well as informed citizens justifiably worried about the fate of American democracy this fascinating book dares to challenge everything you thought you knew about one of our favorite political institutions William E Scheuerman Indiana University Can Orentlicher be serious in calling for a plural executive The answer is yes and he presents thoughtful and challenging arguments responding to likely criticisms Any readers who are other than completely complacent about the current state of American politics will have to admire Orentlicher s distinctive audacity and to respond themselves to his well argued points Sanford Levinson author of Framed America s 51 Constitutions and the Crisis of Governance When talking heads and political pundits make their What s Wrong with America lists two concerns invariably rise to the top the growing presidential abuse of power and the toxic political atmosphere in Washington In Two Presidents Are Better Than One David Orentlicher

shows how the imperial presidency and partisan conflict are largely the result of a deeper problem the Constitution's placement of a single president atop the executive branch Accordingly writes Orentlicher we can fix our broken political system by replacing the one person one party presidency with a two person two party executive branch Orentlicher contends that our founding fathers did not anticipate the extent to which their checks and balances would fail to contain executive power and partisan discord They also did not foresee how the imperial presidency would aggravate partisan conflict As the stakes in presidential elections have grown ever higher since the New Deal battles to capture the White House have greatly exacerbated partisan differences Had the framers been able to predict the future Orentlicher argues they would have been far less enamored with the idea of a single leader at the head of the executive branch and far more receptive to the alternative proposals for a plural executive that they rejected Like their counterparts in Europe they might well have created an executive branch in which power is shared among multiple persons from multiple political parties Analyzing the histories of other countries with a plural executive branch and past examples of bipartisan cooperation within Congress Orentlicher shows us why and how to implement a two person two party presidency Ultimately *Two Presidents Are Better Than One* demonstrates why we need constitutional reform to rebalance power between the executive and legislative branches and contain partisan conflict in Washington US Government , *Sowing Crisis* Rashid Khalidi, 2009-02-01 Acclaimed historian and political commentator Rashid Khalidi presents the compelling case that U S and Soviet intervention in the Middle East not only exacerbated civil wars and provoked the breakdown of fragile democracies but continues to this day to shape global conflict in the region Examining the strategic interplay of cold war superpowers Khalidi explains how the momentous events that have occurred over the last two decades including two Gulf wars the occupation of Iraq and the rise of terrorism can only be understood in light of this chilling legacy **The Constitution and 9/11** Louis Fisher, 2008 The Constitution and 9 11 provides a comprehensive striking and disturbing analysis of executive misuse of power that is made all the more compelling by placing it in a rich and fascinating historical contest No better book is available for placing post 9 11 government actions in the matrix of history and explaining how executive power has degraded the Constitution and citizen rights William G Weaver Back cover **Bad Advice** Harold H. Bruff, 2009 A scathing critique of President Bush's legal advisors who expanded the reach of his executive powers while creating highly controversial policies for fighting the War on Terror Argues that these advisors blinded by ideology provided largely bad legal advice that caused great harm and ultimately was unnecessary for national security The Age of Impeachment David E. Kyvig, 2008 A Bancroft Prize winning historian chronicles the modern history of impeachment and the shift in American politics and constitutional culture revealed by its evolving interpretation and use **Minnesota Law Review** , 2009-04 *American War Machine* Peter Dale Scott, 2010-11-16 This provocative thoroughly researched book explores the covert aspects of U S foreign policy Prominent political analyst Peter Dale Scott marshals compelling evidence to expose the extensive growth of sanctioned but illicit

violence in politics and state affairs especially when related to America's long standing involvement with the global drug traffic. Beginning with Thailand in the 1950s Americans have become inured to the CIA's alliances with drug traffickers and their bankers to install and sustain right wing governments. The pattern has repeated itself in Laos, Vietnam, Italy, Mexico, Thailand, Nigeria, Venezuela, Colombia, Peru, Chile, Panama, Honduras, Turkey, Pakistan, and now Afghanistan, to name only those countries dealt with in this book. Scott shows that the relationship of U.S. intelligence operators and agencies to the global drug traffic and to other international criminal networks deserves greater attention in the debate over the U.S. presence in Afghanistan. To date America's government and policies have done more to foster than to curtail the drug trade. The so called war on terror and in particular the war in Afghanistan constitutes only the latest chapter in this disturbing story.

Michigan State Journal of International Law, 2008 The Politics of Bad Ideas Bryan D. Jones, Walter Williams, 2008. For the past 25 years Americans have been lead to believe that government can cut taxes without adjusting future spending and not harm government finance. Simply put our government's economic policies have not worked as advertised. That is the conclusion by two prominent scholars in the field Bryan D Jones and Walter Williams and they support it with sharp and insightful analysis of the bad economic ideas that have shaped our economy. The authors look at the amazing resilience of these ideas and why they continue to survive despite overwhelming evidence that they have caused damage to our long term fiscal stability and the American economy. Ending on a positive note *Politics of Bad Ideas* concludes with suggestions on how we can get out from under the dead weight of these destructive strategies. Jones and Williams provide a valuable and much needed critique of faith based analysis. This is essential reading for students of public policy. George C Edwards III, Distinguished Professor of Political Science and Jordan Chair in Presidential Studies, Texas A M University. A lucid convincing and devastating critique of supply side economics and a starve the beast route to shrinking the size of government. Jones and Williams document the high cost of the triumph of ideology over neutral competence in national policymaking and suggest ways of restoring honesty and responsibility to public finance in America. THOMAS E MANN, Senior Fellow, The Brookings Institution and co author of *The Broken Branch*. Here's a good idea. Read *The Politics of Bad Ideas*. With care and without cant Jones and Williams, an acclaimed political scientist and an accomplished policy expert, eviscerate the free lunch mantra of radical tax cutters. They show that the great tax cut delusion has eroded not just our government's fiscal capacity but also the health of our representative democracy. JACOB S HACKER, Professor of Political Science, Yale University and author of *The*

The Hastings Law Journal, 2011 *Panel Discussion and Collected Essays*, 2008 **The Rule of Law & the Global War on Terrorism**, 2009 Absolute Power John P. MacKenzie, 2008. A Century Foundation report. T p The Nation, 2009 *Justice at War* David Cole, 2008. How did America become a nation that tortures prisoners, spies on its citizens and gives its president unchecked powers in matters of defense? Cole takes a critical look at the limits of constitutional protections when the nation is under the threat of terrorism. *Symposium*, 2009

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