

The Fettered Presidency

Legal Constraints on the Executive Branch

L. Gordon Crovitz & Jeremy A. Rabkin, Editors



with a foreword by Robert H. Bork

American Enterprise Institute for Public Policy Research

The Fettered Presidency Legal Constraints On The Executive Branch Aei Studies

Marie T. Henahan



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The Fettered Presidency: Legal Constraints on the Executive Branch L. Gordon Crovitz, Jeremy A. Rabkin, 1985 *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 Presidency and the Challenge of Democracy** M. Genovese, L. Han, 2006-09-16 The rise of presidential power poses a significant threat to America's democratic values As the presidency apparently eclipses Congress the courts in power and public media attention the balance of powers has tilted In this accessible book leading scholars explore the reasons for and implications of the rising power of the presidency **The Presidency and Political Science** Raymond Tatalovich, Steven E. Schier, 2013-12-29 This history of presidential studies surveys the views of leading thinkers and scholars about the constitutional powers of the highest office in the land from the founding to the present **The Presidency and the Political System** Michael Nelson, 2018-03-08 Written by top notch presidency scholars and carefully edited into a text reader format *The Presidency and the Political System* Eleventh Edition showcases a collection of original essays focused on a range of topics institutions and issues relevant to understanding the American presidency *The Fettered Presidency* L. Gordon Crovitz, 1989 Regulation in the Reagan-Bush Era Barry D. Friedman, 2010-06-15 This timely and well researched study describes for the first time the astonishing acquiescence of executive agency officials members of Congress and federal judges to Ronald Reagan's assertion of extraordinary new presidential power over the federal regulatory process the controversial Executive Order 12291 From Harry Truman through Jimmy Carter chief executives complained that federal bureaucrats disregarded their policy preferences presidential influence over regulatory rule making was limited congressional committees and interest groups commanded more attention Then in February 1981 Ronald Reagan abruptly departed from tradition by ordering that regulatory agencies must submit proposed guidelines for Office of Management and Budget approval Barry D. Friedman describes how the executive agencies and Congress responded warily and with skepticism yet allowed the changes to remain the judiciary was also willing to retreat from time honored precedents that had preserved agency prerogative and now accorded due respect to the revolutionary Reagan reform initiatives Institutions that competed for leverage in the system continued to exercise restraint in their mutual relations because they recognized that all benefitted from the others' viability This book shows that conventional political science theories and models are now obsolete because of the eruption of presidential control into bureaucratic affairs new review procedures have restructured relations between the president and the agencies and among the government's three branches because of Reagan's radical initiative President Bill Clinton and his successors will sit at the bargaining table when regulation policy is developed in Washington and political theorists will have to work from a new conception of presidential prerogative **Foreign Policy and Congress** Marie T. Henahan, 2010-06-02 In the traditional view of foreign policy making

in the United States the President is considered the primary authority and Congress is seen as playing a subsidiary role Marie T Henehan looks at the effects of events in the international system on both the content of foreign policy and what actions Congress takes on foreign policy Henehan argues that the only way to understand the way congressional behavior varies over time is by looking at the rise and resolution of critical issues in foreign policy which in turn have their origin in the international system When a critical foreign policy issue arises congressional activity and attempts to influence foreign policy increase Once the debate is resolved and one side wins a consensus emerges and Congress settles into a more passive role Using a data set consisting of all roll call votes on foreign policy issues taken by the Senate from 1897 to 1984 to generate indicators of Congressional behavior together with the rise and fall of critical issues in international relations Henehan is able to develop a more nuanced understanding of Congress's role in foreign policy making over time In recent years political scientists have begun to consider the impact of the international system on domestic policy Part of the difficulty of some of this work as well as work on Congress's role in foreign policy is that it has been limited in terms of time and the number of events the analysis considered depending on case studies This book offers a systematic consideration of the effects of international events on domestic politics crossing many different kinds of international activity and provides a unique longitudinal view of Congressional action on foreign policy This book will be of interest to scholars of international relations American foreign policy making and Congress Marie T Henehan is Assistant Professor of Political Science Vanderbilt University

Gerald Ford and the Separation of Powers Alex E. Hindman, 2017-02-03 The constitutional presidency is the crown jewel of the separation of powers in the American system Designed in 1787 the office was structured to weather a wide variety of political circumstances accommodate broad ranges of personalities in its incumbents and educate officeholders to become better presidents Nowhere are these three effects clearer than during the brief unelected tenure of President Gerald Ford because he occupied the presidency amid tremendous strains on the country and the separation of powers After the dual traumas of Watergate and Vietnam the public was profoundly skeptical of government in general and the presidency in particular As a result the post Watergate Congress claimed the mantle of public support and proposed reforms that could have crippled the presidency's constitutional powers Weakened by the Nixon pardon Ford stood alone in this environment without many of the informal political strengths associated with the modern presidency As a result he had to rely in large measure on the formal powers of his constitutional office Based on archival research this book shows that Ford's presidency placed the Constitution at the center of his time in office The constitutional presidency allowed him to preserve his own political life his presidential office and the separation of powers amid a turbulent chapter in American history

The Presidency in the Twenty-First Century Charles W. Dunn, 2011-08-26 These essays by political scientists provide an effective snapshot of where the presidency appears to be heading in the 21st century thoughtful insights Choice Magazine The US president is under constant scrutiny from both colleagues and the American people Questions about the

proper role of the president have been especially prevalent in recent decades This book explores the growth of presidential power investigating its social political and economic impact on America s present and future Editor Charles W Dunn and a team of the nation s leading political scientists examine a variety of topics from the link between campaigning and governing to trends in presidential communication with the public The book discusses the role of the presidency in a government designed to require cooperation with Congress and how this relationship is further complicated by the expectations of the public Several contributors take a closer look at the Obama administration in light of President George W Bush s emphasis on the unitary executive a governing style that continues to be highly controversial Dunn and his contributors provide a thorough analysis of a rapidly changing political role provoking important questions about the future of America s political system

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