

Louis Fisher

Nazi Saboteurs on Trial



A Military Tribunal and American Law

SECOND EDITION, ABRIDGED AND UPDATED

Nazi Saboteurs On Trial A Military Tribunal And American Law

Samantha Seiple



Nazi Saboteurs On Trial A Military Tribunal And American Law:

Nazi Saboteurs on Trial Louis Fisher, 2005 Louis Fisher chronicles the capture trial and punishment of the Nazi saboteurs in order to examine the extent to which procedural rights are suspended in time of war One of America's leading constitutional scholars Fisher analyzes the political legal and administrative context of the Supreme Court decision *Ex parte Quirin* 1942 reconstructing a rush to judgment that has striking relevance to current events Fisher contends that the Germans constitutional right to a civil trial was hijacked by an ill conceived concentration of power within the presidency overriding essential checks from the Supreme Court Congress and the office of the Judge Advocate General His book provides a cautionary tale as our nation struggles to balance individual rights and national security BOOK JACKET

Court-Martial: How Military Justice Has Shaped America from the Revolution to 9/11 and Beyond Chris Bray, 2016-05-17 A timely provocative account of how military justice has shaped American society since the nation's beginnings Historian and former soldier Chris Bray tells the sweeping story of military justice from the earliest days of the republic to contemporary arguments over using military courts to try foreign terrorists or soldiers accused of sexual assault Stretching from the American Revolution to 9 11 Court Martial recounts the stories of famous American court martials including those involving President Andrew Jackson General William Tecumseh Sherman Lieutenant Jackie Robinson and Private Eddie Slovik Bray explores how encounters of freed slaves with the military justice system during the Civil War anticipated the civil rights movement and he explains how the Uniform Code of Military Justice came about after World War II With a great eye for narrative Bray hones in on the human elements of these stories from Revolutionary era militiamen demanding the right to participate in political speech as citizens to black soldiers risking their lives during the Civil War to demand fair pay to the struggles over the court martial of Lieutenant William Calley and the events of My Lai during the Vietnam War Throughout Bray presents readers with these unvarnished voices and his own perceptive commentary Military justice may be separate from civilian justice but it is thoroughly entwined with American society As Bray reminds us the history of American military justice is inextricably the history of America and Court Martial powerfully documents the many ways that the separate justice system of the armed forces has served as a proxy for America's ongoing arguments over equality privacy discrimination security and liberty

Nazi Saboteurs: Hitler's Secret Attack on America (Scholastic Focus) Samantha Seiple, 2019-12-03 A gripping tale of the little known Nazi plot to attack on American soil and the brave individuals who got in the way In 1942 amid a growing German threat Nazi agents infiltrated the United States in hopes of destroying American infrastructure and sowing panic throughout the nation *Nazi Saboteurs* tells the nail biting tale of this daring plot buried in history for young readers for the first time Black and white historical photos throughout paint a picture of a nation on edge the FBI caught unawares and the incredible capture of eight dangerous criminals A thrilling historical narrative for WWII buffs reluctant readers and adventure junkies *Judicial Decisions in International Law Argumentation* Letizia Lo

Giacco,2022-10-20 This book explores the question of how the multiplication of judicial decisions on international law has influenced the way in which legal findings in international law adjudication are justified International law practitioners frequently cite judicial decisions to persuade Courts interpreting international law are no exception to this practice However judicial decisions do much more than persuading they enable and constrain interpretive discretion Instead of taking the road of the sources of international law this book turns to the somewhat uncharted terrain of legal argumentation Using international criminal law as a case study it shows how the growing number of judicial decisions has normalised courts resort to them in legal justification and enabled some argumentative practices to become constitutive of international law In so doing it critically revisits the implications of an iterative use of judicial decisions and reassesses the influence of the judicialisation turn on the ways in which the meaning of international law is formed shaped and reshaped by reference to judicial decisions

The Law of the Executive Branch Dr. Louis Fisher,2014-01-03 The scope of presidential authority has been a constant focus of constitutional dispute since the Framing The bases for presidential appointment and removal the responsibility of the Executive to choose between the will of Congress and the President the extent of unitary powers over the military even the ability of the President to keep secret the identity of those consulted in policy making decisions have all been the subject of intense controversy The scope of that power and the manner of its exercise affect not only the actions of the President and the White House staff but also all staff employed by the executive agencies There is a clear need to examine the law of the entire executive branch The Law of the Executive Branch Presidential Power places the law of the executive branch firmly in the context of constitutional language framers intent and more than two centuries of practice In this book Louis Fisher strives to separate legitimate from illegitimate sources of power through analysis that is informed by litigation as well as shaped by presidential initiatives statutory policy judicial interpretations and public and international pressures Each provision of the US Constitution is analyzed to reveal its contemporary meaning in concert with the application of presidential power Controversial issues covered in the book include unilateral presidential wars the state secrets privilege extraordinary rendition claims of inherent presidential powers that may not be checked by other branches and executive privilege

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 Development of the American Presidency Richard Ellis, 2022-05-02 A full understanding of the institution of the American presidency requires us to examine how it developed from the founding to the present This developmental lens analyzing how historical turns have shaped the modern institution allows for a richer more nuanced understanding The Development of the American Presidency pays great attention to that historical weight but is organized by the topics and concepts relevant to political science with the constitutional origins and political development of the presidency its central focus Through comprehensive and in depth coverage Richard J Ellis 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 Each chapter promotes active learning beginning 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 New to the Fourth Edition Explicit and expanded attention to the role of norms in shaping and constraining presidential power with special focus on Trump's norm breaking and Biden's efforts to shore up norms Enhanced focus on the prospects for institutional reform including in the electoral college presidential relations with Congress war powers and the selection of Supreme Court justices A full reckoning with the Trump presidency and its significance for the future of American democracy presidential rhetoric the unilateral executive and the administrative state Coverage of the first year of Biden's presidency including presidential rhetoric relations with Congress and the bureaucracy use of the war powers and unilateral directives Comprehensive updating of debates about the removal power including the Supreme Court cases of *Seila Law v CFPB* and *Collins v Yellen* In depth exploration of the impact of partisan polarization on the legislative presidency and effective governance Analysis of the 2020 election and its aftermath Expanded discussion of impeachment to incorporate Trump's two impeachments Examination of presidential emergency powers with special attention to Trump's border wall declaration Review of Biden's and Trump's impact on the judiciary Assessment of Biden's and Trump's place in political time

Cato Supreme Court Review, 2005-2006 Mark K. Moller, 2006-10-25 Published

every September in celebration of Constitution Day the Cato Supreme Court Review brings together leading legal scholars to analyze the most important cases of the Court's most recent term. It is the first scholarly review to appear after the term's end and the only one to critique the court from a Madisonian perspective. **The Most Powerful Court in the World** Stuart Banner, 2025-02-04 Stuart Banner's *The Most Powerful Court in the World* is an authoritative history of the United States Supreme Court from the Founding era to the present. Not merely a history of the Court's opinions and jurisprudence, it is also a rich account of the Court in the broadest sense of the sorts of people who become justices and the methods by which they are chosen, of how the Court does its work and of its relationship with other branches of government. Rather than praising or criticizing the Court's decisions, Banner makes the case that one cannot fully understand the decisions without knowing about the institution that produced them. **Rethinking Holocaust Justice** Norman J. W. Goda, 2017-12-29 Since the end of World War II, the ongoing efforts aimed at criminal prosecution, restitution, and other forms of justice in the wake of the Holocaust have constituted one of the most significant episodes in the history of human rights and international law. As such, they have attracted sustained attention from historians and legal scholars. This edited collection substantially enlarges the topical and disciplinary scope of this burgeoning field, exploring such varied subjects as literary analysis of Hannah Arendt's work, the restitution case for Gustav Klimt's Beethoven Frieze, and the ritualistic aspects of criminal trials. *Constitutional Law for a Changing America* Lee Epstein, Kevin T. McGuire, Thomas G. Walker, 2025-02-21 In *Constitutional Law for a Changing America: Institutional Powers and Constraints*, bestselling authors Lee Epstein, Kevin T. McGuire, and Thomas G. Walker show students how political factors influence judicial decisions and shape the development of constitutional law. The Twelfth Edition, updated with additional material such as recent court rulings, more than 500 supplemental cases, and greater coverage of executive, legislative, and judicial power, facilitates a deeper understanding of how the U.S. Constitution defines what institutions can and cannot do. This book is ideal for Constitutional Law courses in the two-semester sequence that covers powers and constraints. For courses that cover both rights and liberties and the separation of powers in one semester, see *Constitutional Law for a Changing America: A Short Course*. **The Army Lawyer**, 2003 [The Development of the American Presidency](#) Richard J. Ellis, 2018-02-20 A full understanding of the institution of the American presidency requires us to examine how it developed from the founding to the present. This developmental lens, analyzing how historical turns have shaped the modern institution, allows for a richer, more nuanced understanding. *The Development of the American Presidency* pays great attention to that historical weight but is organized by the topics and concepts relevant to political science, with the constitutional origins and political development of the presidency its central focus. Through comprehensive and in-depth coverage, Richard Ellis 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. Each chapter promotes active learning, beginning 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 New to the Third Edition Analysis of the 2016 election including the role of the Electoral College and implications of Trump s nomination for the party decides thesis Exploration of Trump s Twitter presidency and the effectiveness of using social media to bypass the Washington press corps In depth coverage of the development of twentieth century president press relations including a new section on broadcasting the presidency that explores the development of the presidential press conference and presidents use of radio and television Study of national security policy in the Obama administration with a special focus on the targeted killing of American citizens and Obama s legacy for presidential war powers Examination of the original understanding and contemporary relevance of impeachment as well as updated discussion of the president s pardon power Discussion of recent developments in the legislative and legal realms including Trump s first hundred days the Garland Gorsuch episode and abolition of the filibuster for Supreme Court appointments Preliminary assessment of Trump s place in historical time The Prospect of Presidential Rhetoric James Arnt Aune, Martin J. Medhurst, 2008 Culminating a decade of conferences that have explored presidential speech The Prospect of Presidential Rhetoric assesses progress and suggests directions for both the practice of presidential speech and its study In Part One following an analytic review of the field by Martin Medhurst contributors address the state of the art in their own areas of expertise Roderick P Hart then summarizes their work in the course of his rebuttal of an argument made by political scientist George Edwards that presidential rhetoric lacks political impact Part Two of the volume consists of the forward looking reports of six task forces comprising more than forty scholars charged with outlining the likely future course of presidential rhetoric as well as the major questions scholars should ask about it and the tools at their disposal The Prospect of Presidential Rhetoric will serve as a pivotal work for students and scholars of public discourse and the presidency who seek to understand the shifting landscape of American political leadership **Presidential Secrecy and the Law** Robert M. Pallitto, William G. Weaver, 2007-05-01 A look at how U S presidents from Truman to George W Bush employed secrecy and how it has affected the presidency and the American government State secrets warrantless investigations and wiretaps signing statements executive privilege the executive branch wields many tools for secrecy Since the middle of the twentieth century presidents have used myriad tactics to expand and maintain a level of executive branch power unprecedented in this nation s history Most people believe that some degree of governmental secrecy is necessary But how much is too much At what point does withholding information from Congress the courts and citizens abuse the public trust How does the nation reclaim rights that have been controlled by one branch of government With Presidential Secrecy and the Law Robert M Pallitto and William G Weaver attempt to answer these questions by examining the history of executive branch efforts to consolidate power through information control They find the nation s democracy damaged and its Constitution corrupted by staunch information suppression a process accelerated when black sites enemy combatants and ghost detainees were added to the vernacular following the September

11 2001 terror strikes Tracing the current constitutional dilemma from the days of the imperial presidency to the unitary executive embraced by the administration of George W Bush Pallitto and Weaver reveal an alarming erosion of the balance of power Presidential Secrecy and the Law will be the standard in presidential powers studies for years to come The well organized and clearly written book illustrates the way the president s use of document classification and state secrets privilege to solidify presidential control are reinforced by legal decisions sympathetic to presidential power Chronicle of Higher Education

On the Supreme Court Louis Fisher,2016-01-08 On the Supreme Court places the Supreme Court in a rich historical and political context demonstrating how its interpretations of statutes and the Constitution are necessarily shared with the elected branches the 50 states and the general public It explains why the Court exercises judicial review not judicial supremacy It demonstrates that contrary to popular opinion the Court does not supply the final or exclusive word on the Constitution In an era of tectonic changes On the Supreme Court offers a fresh perspective on this mainstay institution from a scholar with unique insights as a Constitutional specialist as well as a Congressional researcher Key features of the text

Civil Disobedience and the German Courts Peter E. Quint,2007-12-17 The book is the first full length English language treatment of the civil disobedience of the West German Peace Movement in the 1980s and the resulting trials of some of its members in the German Constitutional Court The book uses these events and critical cases to analyze the German Constitutional Court as a crucial institution of government and it also places the outcomes of the cases at an important turning point in German constitutional history

The Court at War Cliff Sloan,2023-09-19 The inside story of how one president forever altered the most powerful legal institution in the country with consequences that endure today By the summer of 1941 in the ninth year of his presidency Franklin Roosevelt had molded his Court He had appointed seven of the nine justices the most by any president except George Washington and handpicked the chief justice But the wartime Roosevelt Court had two faces One was bold and progressive the other supine and abject cowed by the charisma of the revered president The Court at War explores this pivotal period It provides a cast of unforgettable characters in the justices from the mercurial Vienna born intellectual Felix Frankfurter to the Alabama populist Hugo Black from the western prodigy William O Douglas FDR s initial pick to be his running mate in 1944 to Roosevelt s former attorney general and Nuremberg prosecutor Robert Jackson The justices shameless capitulation and unwillingness to cross their beloved president highlight the dangers of an unseemly closeness between Supreme Court justices and their political patrons But the FDR Court s finest moments also provided a robust defense of individual rights rights the current Court has put in jeopardy Sloan s intimate portrait is a vivid instructive tale for modern times

The 9/11 Terror Cases Allan A. Ryan,2015-11-06 The terrorist attacks of 9 11 are indelibly etched into our cultural memory This is the story of how the legal ramifications of that day brought two presidents Congress and the Supreme Court into repeated confrontation over the incarceration of hundreds of suspected terrorists and enemy combatants at the US naval base in Guant namo Cuba Could these prisoners including an American

citizen be held indefinitely without due process of law Did they have the right to seek their release by habeas corpus in US courts Could they be tried in a makeshift military judicial system With Guant namo well into its second decade these questions have challenged the three branches of government each contending with the others and each invoking the Constitution s separation of powers as well as its checks and balances In The 9 11 Terror Cases Allan A Ryan leads students and general readers through the pertinent cases Rasul v Bush and Hamdi v Rumsfeld both decided by the Supreme Court in 2004 Hamdan v Bush decided in 2006 and Boumediene v Bush in 2008 An eloquent writer and an expert in military law and constitutional litigation Ryan is an adept guide through the nuanced complexities of these cases which rejected the sweeping powers asserted by President Bush and Congress and upheld the rule of law even for enemy combatants In doing so as we see clearly in Ryan s deft account the Supreme Court s rulings speak directly to the extent and nature of presidential and congressional prerogative and to the critical separation and balance of powers in the governing of the United States

To Raise and Discipline an Army Joshua Kastenber, 2017-04-15 Major General Enoch Crowder served as the Judge Advocate General of the United States Army from 1911 to 1923 In 1915 Crowder convinced Congress to increase the size of the Judge Advocate General s Office the legal arm of the United States Army from thirteen uniformed attorneys to more than four hundred Crowder s recruitment of some of the nation s leading legal scholars as well as former congressmen and state supreme court judges helped legitimize President Woodrow Wilson s wartime military and legal policies As the United States entered World War I in 1917 the army numbered about 120 000 soldiers The Judge Advocate General s Office was instrumental in extending the military s reach into the everyday lives of citizens to enable the construction of an army of more than four million soldiers by the end of the war Under Crowder s leadership the office was responsible for the creation and administration of the Selective Service Act under which thousands of men were drafted into military service as well as enforcement of the Espionage Act and wartime prohibition In this first published history of the Judge Advocate General s Office between the years of 1914 and 1922 Joshua Kastenber examines not only courts martial but also the development of the laws of war and the changing nature of civil military relations The Judge Advocate General s Office influenced the legislative and judicial branches of the government to permit unparalleled assertions of power such as control over local policing functions and the economy Judge advocates also altered the nature of laws to recognize a person s diminished mental health as a defense in criminal trials influenced the assertion of US law overseas and affected the evolving nature of the law of war This groundbreaking study will appeal to scholars students and general readers of US history as well as military legal and political historians

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