

The **Presidency**
in the
Constitutional
Order

An Historical Examination



**Joseph M. Bessette
and Jeffrey Tulis,
editors**

With a new introduction by the editors

Presidency In The Constitutional Order

Jeffrey Tulis, Joseph M. Bessette



Presidency In The Constitutional Order:

Presidency in the Constitutional Order Bessette, Joseph M., **The Presidency in the Constitutional Order** Stewart Wolf, Jeffrey Tulis, 2017-09-20 This classic collection of studies first published in 1980 contributes to the revival of interest in the powers and duties of the American presidency Unlike many previous books on the constitution and the president the contributors to this volume are political scientists not law professors Accordingly they display political scientists concern with structures as well as power with conflict between the branches of government as well as their functional separation and with political prescription as well as legal analysis Underlying the entire volume is a persistent attention to the nature of executive power and its particular manifestation in the American system Part One introduces the foundations that underlie contemporary issues including the famous James Madison Alexander Hamilton debate over the powers of the presidency Contemporary political and scholarly controversies which are the subjects of Part Two include the constitutionality of the War Powers Resolution of 1973 the legislative veto executive privilege and secrecy the character of the presidency presidential selection and the nature of executive power The essays in *The Presidency in the Constitutional Order* represent some of the most cogent thought available about the highest elected office in America and the themes of the volume continue to be timely and provocative The Obama Presidency in the Constitutional Order Carol McNamara, Melanie

Marlowe, 2011-03-18 The Obama administration is shaping up to be one of the most consequential in recent American history In this book a diverse group of presidential scholars step back from the partisan debate to consider the first two years of the Obama presidency through the lens of the U S constitution s theory structure and powers They ask how Barack Obama understands and exercises the President s formal constitutional and informal powers and responsibilities of the president from foreign policy and public policy to his political leadership of the Democratic party and the nation as a whole This timely first look at the Obama presidency establishes a constitutional yardstick of interest to scholars of the presidency constitutional thought and American political thought **The Presidency in the Constitutional Order** Joseph M.

Bessette, 1981-01-01 Chiefly papers from workshops held at the White Burkett Miller Center University of Virginia 1977 1978

The Presidency in the Constitutional Order Jeffrey Tulis, Joseph M. Bessette, 2010 Originally published Baton Rouge Louisiana State University Press c1981 *The Presidency and the Constitution* M. Genovese, R. Spitzer, 2005-08-19 This comprehensive case law book examines the evolution of judicial interpretation of the scope and limitations of presidential power From interbranch struggles for power to presidential selection to campaign financing to war powers hardly an issue arises for the modern presidency that does not eventually find itself framed as a legal problem to be addressed by the courts Each section provides an introduction providing background and framework for students Throughout the analysis is informed by the view that court decisions are framed by legal arguments and constitute legal issuances and are also framed by politics and have profound political consequences Coinciding with a broader intellectual and disciplinary return to institutions and

law as key to understanding the presidency and modern politics this book will find special favour among scholars who teach courses on the presidency and related areas **The Obama Presidency in the Constitutional Order** Carol

McNamara, Melanie Marlowe, 2012-08-10 The Obama administration is shaping up to be one of the most consequential in recent American history In this book a diverse group of presidential scholars step back from the partisan debate to consider the first two years of the Obama presidency through the lens of the U S constitution s theory structure and powers They ask how Barack Obama understands and exercises the President s formal constitutional and informal powers and responsibilities of the president from foreign policy and public policy to his political leadership of the Democratic party and the nation as a whole This timely first look at the Obama presidency establishes a constitutional yardstick of interest to scholars of the presidency constitutional thought and American political thought Presidential Power, Rhetoric, and the Terror Wars

Alexander Hiland, 2019-10-21 Presidential Power Rhetoric and the Terror Wars The Sovereign Presidency argues that the War on Terror provided an opportunity to fundamentally change the presidency Alexander Hiland analyzes the documents used to exercise presidential powers including executive orders signing statements and presidential policy directives Treating these documents as genres of speech act that are ideologically motivated Hiland provides a rhetorical criticism that illuminates the values and political convictions at play in these documents This book reveals how both President George W Bush and President Barack Obama wielded the personal power of the office to dramatically expand the power of the executive branch During the War on Terror the presidency shifted from an imperial form that avoided checks and balances to a sovereign presidency where the executive branch had the ability to decide whether those checks and balances existed As a result Hiland argues that this shift to the sovereign presidency enabled the violation of human rights myriad policy mistakes and the degradation of democracy within the United States **The Constitutional Presidency** Joseph M. Bessette, Jeffrey

K. Tulis, 2009-08-01 Since 1981 when Joseph M Bessette and Jeffrey K Tulis first published The Presidency in the Constitutional Order the study of the constitutional powers of the presidency has advanced considerably Bessette and Tulis continue the conversation almost 30 years later presenting original research on the most significant issues regarding presidential power and the Constitution After introducing and identifying the main approaches to the study of the constitutional presidency and the nature of executive power Bessette and Tulis along with other constitutional scholars cover a wide range of topics These include the logic and meaning of Article II of the Constitution the constitutional and political debate over Washington s Proclamation of Neutrality of 1793 the contribution of Theodore Roosevelt and William Howard Taft to the constitutional foundations of the modern presidency the controversy over the presidential election of 2000 and the Supreme Court s decision in Bush v Gore military tribunals and the war on terrorism executive orders growing presidential influence over the budgeting process executive privilege impeachment and demagoguery in democratic regimes The book conjoins political and legal modes of analysis and shows how constitutional interpretation is indispensable to an adequate

description of political behavior and serves as the source of standards for evaluating presidential conduct The contributors offer new and distinctive arguments especially in light of the renewed debate over executive power during the George W Bush administration *Rethinking the Rhetorical Presidency* Jeffrey Friedman, Shterna Friedman, 2013-09-13 In *The Rhetorical Presidency* Jeffrey Tulis argues that the president's relationship to the public has changed dramatically since the Constitution was enacted while previously the president avoided any discussions of public policy so as to avoid demagoguery the president is now expected to go directly to the public using all the tools of rhetoric to influence public policy This has effectively created a second Constitution that has been layered over and in part contradicts the original one In our volume scholars from different subfields of political science extend Tulis's perspective to the judiciary and Congress locate the origins of the constitutional change in the Progressive Era highlight the role of Theodore Roosevelt Woodrow Wilson and the mass media in transforming the presidency discuss the nature of demagoguery and whether in fact rhetoric is undesirable and relate the rhetorical presidency to the public's ignorance of the workings of a government more complex than the Founders imagined This book was originally published as a special issue of *Critical Review: A Journal of Politics and Society*

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 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 Oxford Handbook of the U.S. Constitution Mark V. Tushnet, Mark A. Graber, Sanford Levinson, 2015. The Oxford Handbook of the U.S. Constitution offers a comprehensive overview and introduction to the U.S. Constitution from the perspectives of history, political science, law, rights, and constitutional themes while focusing on its development, structures, rights, and role in the U.S. political system and culture. This Handbook enables readers within and beyond the U.S. to develop a critical comprehension of the literature on the Constitution along with accessible and up-to-date analysis. Whether a return to the pristine constitutional institutions of the founding or a translation of these constitutional norms in the present is possible remains the central challenge of U.S. constitutionalism today.

The Oxford Handbook of American Political Development Richard M. Valelly, Suzanne Mettler, Robert C. Lieberman, 2016-09-15. Scholars working in or sympathetic to American political development (APD) share a commitment to accurately understanding the history of American politics and thus they question stylized facts about America's political evolution. Like other approaches to American politics, APD prizes analytical rigor, data collection, the development and testing of theory, and the generation of provocative hypotheses. Much APD scholarship indeed overlaps with the American politics subfield and its many well-developed literatures on specific institutions or processes, for example, Congress, judicial politics, or party competition; specific policy domains, welfare policy, immigration, the foundations of inequality in American politics, the distribution of wealth and income, race, ethnicity, gender, class, and sexual and gender orientation; public law and governance and representation. What distinguishes APD is careful, systematic thought about the ways that political processes, civic ideals, the political construction of social divisions, patterns of identity formation, the making and implementation of public policies, contestation over and via the Constitution, and other formal and informal institutions and processes evolve over time and whether and how they alter, compromise, or sustain the American liberal democratic regime. APD scholars identify in short the histories that constitute American politics. They ask what familiar or unfamiliar elements of the American past illuminate the present. Are contemporary phenomena that appear new or surprising prefigured in ways that an APD approach can bring to the fore? If a contemporary phenomenon is unprecedented, then how might an accurate understanding of the evolution of American politics unlock its significance? Featuring contributions from leading academics in the field, *The Oxford Handbook of American Political Development* provides an authoritative and accessible analysis of the study of American political development.

Daily Report, Foreign Radio Broadcasts United States. Central Intelligence Agency, 1963.

The Presidential Republic Gary L. Gregg, 1997. For two centuries American presidents have considered themselves to be representatives of the American people. In this detailed study of presidential representation, Gary Gregg explores the theory, history, and

consequences of presidents acting as representatives in the American political system Gregg explores questions such as what it means to be a representative how the Founding Fathers understood the place of the presidency in the Republic established by the Constitution and the effects a representational presidency has on deliberative democracy This important examination of the presidency s place in our political system is essential reading for those interested in American political theory constitutional studies and American history The Presidency in Times of Crisis and Disaster Brian M. Harward,2019-11-15 This resource uses primary documents and contextualizing essays to illuminate how America s presidents have responded to major tests of their leadership and approached their role and responsibilities in times of national crisis Presidents hold the attention of the public like no other political actor In addition because of their unique role in the constitutional system presidents often take immediate unilateral action in the face of national emergencies Exploring key events crises and disasters through the lens of presidential responsiveness this text reveals not only the larger historical context but also the authority of presidents in meeting the felt necessities of the time deepening readers understanding of those touchstone events Comprehensive in temporal and topical scope the book covers crises and disasters from the presidency of George Washington through Donald Trump s first two years in office Important events covered include natural disasters wars assassinations terrorist attacks mass shootings economic crises riots tragedies and political scandals Each event is explored through a primary document that reveals key dimensions of the presidential response to the crisis or disaster in question and contextual headnotes and essays that provide additional insights into the political economic and cultural contexts in which that event occurred and to which the president responded *Laws, Men and Machines* Michael Foley,2014-02-04 First published in 1990 *Laws Men and Machines* is an original interpretation of the lasting influence that Newtonian mechanics has had on the design and operation of the American political system The author argues that it is this mechanistic tradition that now instinctively shapes the way we conceive of analyse and evaluate American politics and that the Newtonian conception of the world still finds expression in the checks and balances of the American system **Constitutional Courts in Asia** Hongyi Chen,Andrew Harding,2018-09-20 A comparative systematic and critical analysis of constitutional courts and constitutional review in Asia **Reassessing the Presidency** David Gordon,Thomas J. DiLorenzo,Thomas E. Woods, Jr,Yuri N. Maltsev,Ralph Raico,Paul Gottfried,Hans-Hermann Hoppe,2013-09-19 American Despots Amazing low sale price in defense of authentic freedom as versus the presidency that betrayed it Everyone seems to agree that brutal dictators and despotic rulers deserve scorn and worse But why have historians been so willing to overlook the despotic actions of the United States own presidents You can scour libraries from one end to the other and encounter precious few criticisms of America s worst despots The founders imagined that the president would be a collegial leader with precious little power who constantly faced the threat of impeachment Today however the president orders thousands of young men and women to danger and death in foreign lands rubber stamps regulations that throw enterprises into upheaval controls the composition of

the powerful Federal Reserve and manages the priorities millions of swarms of bureaucrats that vex the citizenry in every way It is not too much of a stretch to say that the president embodies the Leviathan state as we know it Or more precisely it is not an individual president so much as the very institution of the presidency that has been the major impediment of liberty The presidency as the founders imagined it has been displaced by democratically ratified serial despotism And for that reason it must be stopped Every American president seems to strive to make the historians A list by doing big and dramatic things wars occupations massive programs tyrannies large and small in hopes of being considered among the greats such as Lincoln Wilson and FDR They always imagine themselves as honored by future generations the worse their crimes the more the accolades Well the free ride ends with *Reassessing the Presidency: The Rise of the Executive State and the Decline of Freedom* edited by John Denson This remarkable volume 825 pages including index and bibliography is the first full scale revision of the official history of the U S executive state It traces the progression of power exercised by American presidents from the early American Republic up to the eventual reality of the power hungry Caesars which later appear as president in American history Contributors examine the usual judgments of the historical profession to show the ugly side of supposed presidential greatness The mission inherent in this undertaking is to determine how the presidency degenerated into the office of American Caesar Did the character of the man who held the office corrupt it or did the power of the office as it evolved corrupt the man Or was it a combination of the two Was there too much latent power in the original creation of the office as the Anti Federalists claimed Or was the power externally created and added to the position by corrupt or misguided men There s never been a better guide to everything awful about American presidents No you won t get the civics text approach of see no evil Essay after essay details depredations that will shock you and wonder how American liberty could have ever survived in light of the rule of these people Contributors include George Bittlingmayer John V Denson Marshall L DeRosa Thomas J DiLorenzo Lowell Gallaway Richard M Gamble David Gordon Paul Gottfried Randall G Holcombe Hans Hermann Hoppe Jeffrey Rogers Hummel Michael Levin Yuri N Maltsev William Marina Ralph Raico Joseph Salerno Barry Simpson Joseph Stromberg H Arthur Scott Trask Richard Vedder and Clyde Wilson

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Table of Contents Presidency In The Constitutional Order

1. Understanding the eBook Presidency In The Constitutional Order
 - The Rise of Digital Reading Presidency In The Constitutional Order
 - Advantages of eBooks Over Traditional Books
2. Identifying Presidency In The Constitutional Order
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Presidency In The Constitutional Order
 - User-Friendly Interface
4. Exploring eBook Recommendations from Presidency In The Constitutional Order
 - Personalized Recommendations
 - Presidency In The Constitutional Order User Reviews and Ratings
 - Presidency In The Constitutional Order and Bestseller Lists
5. Accessing Presidency In The Constitutional Order Free and Paid eBooks
 - Presidency In The Constitutional Order Public Domain eBooks
 - Presidency In The Constitutional Order eBook Subscription Services

- Presidency In The Constitutional Order Budget-Friendly Options
- 6. Navigating Presidency In The Constitutional Order eBook Formats
 - ePub, PDF, MOBI, and More
 - Presidency In The Constitutional Order Compatibility with Devices
 - Presidency In The Constitutional Order Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Presidency In The Constitutional Order
 - Highlighting and Note-Taking Presidency In The Constitutional Order
 - Interactive Elements Presidency In The Constitutional Order
- 8. Staying Engaged with Presidency In The Constitutional Order
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Presidency In The Constitutional Order
- 9. Balancing eBooks and Physical Books Presidency In The Constitutional Order
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Presidency In The Constitutional Order
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Presidency In The Constitutional Order
 - Setting Reading Goals Presidency In The Constitutional Order
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Presidency In The Constitutional Order
 - Fact-Checking eBook Content of Presidency In The Constitutional Order
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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