

THE CAVALIER PRESIDENCY



*Executive Power and Prerogative
in Times of Crisis*

JUSTIN P. DEPLATO

The Cavalier Presidency Executive Power And

Anthony S. Fauci



The Cavalier Presidency Executive Power And:

The Cavalier Presidency Justin P. DePlato, 2014-02-14 In this book Justin DePlato examines and analyzes the reasons and justifications for as well as instances of executive emergency power in political thought and action The book begins by analyzing the theory of executive emergency power across a wide breadth of philosophical history from Ancient Greek Renaissance through modern American political thought This analysis indicates that in political philosophy two models exist for determining and using executive emergency power an unfettered executive prerogative or a constitutional dictatorship The modern American approach to executive emergency power is an unfettered executive prerogative whereby the executive determines what emergency power is and how to use it The book addresses the fundamental question of whether executive power in times of crisis may be unfettered and discretionary or rather does the law define and restrain executive emergency power The author reviews and analyzes seven U S presidencies that handled a domestic crisis Washington Jefferson Madison Jackson Lincoln G W Bush and Obama to show that presidents become extraordinarily powerful during crises and act unilaterally without oversight The use of executive emergency power undermines the normal processes of democratic republicanism and harms the rule of law The author analyzes the U S Constitution formerly classified Department of Justice Memos primary sourced letters signing statements executive orders presidential decrees and original founding documents to comprehensively conclude that presidential prerogative determines what emergency powers are and how they are to be executed This book challenges the claim that presidents determine their emergency power with appropriate congressional oversight or consultation The analysis of the empirical data indicates that presidents do not consult with Congress prior to determining what their emergency powers are and how the president wants to use them Justin DePlato joins the highly contentious debate over the use of executive power during crisis and offers a sharp argument against an ever growing centralized and unchecked federal power He argues that presidents are becoming increasingly reckless when determining and using power during crisis often times acting unconstitutional *American Presidential Power and the War on Terror: Does the Constitution Matter?*

Justin DePlato, 2015-09-01 This book examines the use of presidential power during the War on Terror Justin DePlato joins the debate on whether the Constitution matters in determining how each branch of the federal government should use its power to combat the War on Terror The actions and words of Presidents George W Bush and Barack Obama are examined DePlato s findings support the theory that executives use their own prerogative in determining what emergency powers are and how to use them According to DePlato the Presidents argue that their powers are implied in Article II of the Constitution not expressed This conclusion renders the Constitution meaningless in times of crisis The author reveals that Presidents are becoming increasingly cavalier and that the nation should consider adopting an amendment to the Constitution to proffer expressed executive emergency powers **Delivering the People's Message** Julia R.

Azari, 2014-03-20 Presidents have long invoked electoral mandates to justify the use of executive power In Delivering the

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The Presidency and Political Science: Paradigms of Presidential Power from the Founding to the Present: 2014 Raymond Tatalovich, Steven E Schier, 2014-12-18 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

Presidential Secrecy and the Law Robert M. Pallitto, William G. Weaver, 2007-05 Publisher Description

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The Law of the Executive Branch Louis Fisher, 2014 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 Each provision of the US Constitution is analyzed to reveal its contemporary meaning and in concert with the application of presidential power

Congressional Abdication on War and Spending Louis Fisher, 2000 For thirty years Fisher has observed informed and even influenced Congress from his position in the Congressional Research Service As a scholar he has studied and published several important books on the separation of powers Now for the first time he not only summarizes the well informed observations of a distinguished career but also analyzes the reasons for this congressional failure of will and advocates practical ways to redress the balance

The President Who Would Not Be King Michael W. McConnell, 2022-02-15 Vital perspectives for the divided Trump era on what the Constitution s framers intended when they defined the extent and limits of presidential power One of the most vexing questions for the framers of the Constitution was how to create a vigorous and independent executive without making him king In today s divided public square presidential power has never been more contested The President Who Would Not Be King cuts through the partisan rancor to reveal what the Constitution really tells us about the powers of the president Michael McConnell provides a comprehensive account of the drafting of presidential powers Because the framers met behind closed doors and left no records of their deliberations close attention must be given to their successive drafts McConnell shows how the framers worked from a mental list of the powers of the British monarch and consciously decided which powers to strip from the presidency to avoid tyranny He examines each of these powers in turn explaining how they were understood at the time of the founding and goes on to provide a framework for evaluating separation of powers claims distinguishing between powers that are subject to congressional control and those in which the president has full discretion Based on the Tanner Lectures at Princeton University The President Who Would Not Be King restores the original vision of the framers showing how the Constitution restrains the excesses of an imperial presidency while empowering the executive to govern effectively

Congressional Record United States. Congress, 1996

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