

1. Record Nr.	UNINA9910522938903321
Autore	Brown H. Lowell
Titolo	Prosecution of the President of the United States : The Constitution, Executive Power, and the Rule of Law / / by H. Lowell Brown
Pubbl/distr/stampa	Cham : , : Springer International Publishing : , : Imprint : Palgrave Macmillan, , 2022
ISBN	9783030813734 9783030813727
Edizione	[1st ed. 2022.]
Descrizione fisica	1 online resource (xiv, 257 pages)
Collana	The Evolving American Presidency, , 2945-6169
Disciplina	342.73062
Soggetti	Executive power America - Politics and government Political leadership Constitutional law World politics Executive Politics American Politics Political Leadership Constitutional Law Political History
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di contenuto	Part I -- Chapter 1: The Founding Era -- Chapter 2: The Nixon Era and the 1973 Office of Legal Counsel Memorandum -- Chapter 3: The Clinton Era -- Chapter 4: The Senate Judiciary Committee Hearing on Presidential Immunity -- Chapter 5: The Second Memorandum of the Office of Legal Counsel -- Chapter 6: Donald J. Trump V. Cyrus R. Vance -- Part II -- Chapter 7: The Separation of Powers -- Chapter 8: Impeachment: Sequentiality,- Chapter 9: Impeachment: Criminality -- Chapter 10: The Rule of Law.
Sommario/riassunto	"Lowell Brown has written a compendious, even-handed, exhaustively-researched exploration of the arguments for and against the proposition that an American President can be criminally prosecuted

while in office. No scholar, advocate, or citizen concerned with the scope of presidential power or the real danger of an emergent culture of executive branch impunity should be without this book." -Frank O. Bowman, Professor of Law at the University of Missouri, USA, and author of *High Crimes and Misdemeanors: A History of Impeachment for the Age of Trump* (2019) This book provides an in depth look at the constitutional, historical, and political arguments concerning presidential immunity from prosecution, as well as the opinions of the Office of Legal Counsel that provided the justification for the decision not to prosecute President Trump. Focusing on those opinions, the book examines the constitutional basis of presidential immunity, both textual and historical, as reflected in the deliberations of the 1787 Convention and the ratification debates. The opinions are viewed in the context of the criminal investigations of Presidents Nixon and Clinton that gave rise to those opinions, as well as the pronouncements of the Supreme Court concerning their claims, and those of President Trump to immunity from judicial inquiry. Lastly, the book analyses presidential immunity in light of the separation of powers, the availability of impeachment, and the discordance between presidential immunity and the rule of law. H. Lowell Brown is a practicing attorney specializing in white collar criminal defense and compliance, and has taught courses in white collar crime, international criminal law and procedure and jurisprudence at the University of Maine Law School, USA. He has written numerous law journal articles on issues of white collar crime and ethics, and is the author of five books, including *The American Constitutional Tradition* (2017) and *High Crimes and Misdemeanors in Presidential Impeachment* (2010).
