

# Presidential Succession The Art Of The Possible

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## [Presidential Succession The Art Of](#)

### **The Constitutional Politics of Presidential Succession**

The presidential succession regime has raised perilous problems, both lived and imagined, over the course of American history Even today, centuries into the American project of democracy, ambiguities continue to linger about the rules governing presidential succession For example, what happens if an emergency foils the President-elect from

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### **Fordham Law Review**

PRESIDENTIAL SUCCESSION: THE ART OF THE POSSIBLE James E Fleming\* I NTRODUCTION I am deeply honored that John D Feerick invited me to come back to Fordham University School of Law and appear in this splendid conference Yet I hasten to say that, when it comes to presidential succession, John Feerick and Joel K Goldstein are tough acts to

### **REMARKS PRESIDENTIAL SUCCESSION AND IMPEACHMENT ...**

US CONST art II, § 1, cl 6 Presidential Succession Act of 1947 retained the Cabinet Secretaries as successors, but returned congressional leaders to the line, placing the Speaker of the House first in the line after the Vice President and the Senate President pro

### **Presidential Succession and Delegation in Case of Disability**

mechanism for presidential succession in the event that the President becomes unable to perform his constitutional duties Succession may take place in two ways First, if the President is able and willing to do so, he may provide for the temporary assumption of the powers and US Const, Art II, § 2, cl

2 It

### **Structural Principles and Presidential Succession**

3 USC § 19 (1994) (establishing order of double-vacancy succession); see also Brown & Cinquegrana, *supra* note 1, at 1431-35; Americo R Cinquegrana, *Presidential Succession Under 3 U SC § 19 and the Separation of Powers*: "Ifat

### **Presidential Succession and Disability**

PRESIDENTIAL SUCCESSION AND DISABILITY RUTH C SILVAP Last February, when President Eisenhower announced his candidacy for re-election, he again urged the Congress to clarify that section of the Constitution that provides for the exercise of presidential power when a President is disabled

### **Grant's Watershed: Succession in the Presidency, 1887-1889**

Succession in the Presidency, 1887-1889 Events during 1887-89, during Elder Wilford Woodruff's succession to the Presidency of The Church of Jesus Christ of Latter-day Saints, remains an important but largely untold story—a time when differing views divided the Church's General Authorities and when the

### **The Constitutional Law of Presidential Transitions**

The Twenty-Fifth Amendment provides for presidential succession in circumstances when the President leaves office, by death or otherwise, prior to the expiration of his term 8 No provision, however, discusses how the transfer of power is to be achieved Nonetheless, presidential transition periods are obviously

### **For the President, All in a Day's Work**

vice president Congress did this in the Presidential Succession Act, which puts the speaker of the House (the leader of the House of Representatives) next in line after the vice president and lists everyone who is in line after that Political Party Leaders The president and vice president act as the leaders of their political party

### **Introduction: The Adequacy of the Presidential Succession ...**

Succession Act of 1792<sup>14</sup> The next two iterations of the Presidential Succession Act were drafted following events that raised concern over the system at the time In 1886, after the death of Vice President Thomas A Hendricks, Congress passed a new Presidential Succession Act that altered the order of succession<sup>15</sup> Then, in 1947, in the wake

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judicial roles in presidential and vice-presidential impeachment proceedings; and similar pressures will tempt lawmakers to betray our Constitution's careful rejection of a Parliamentary/Prime Minister Model of presidential selection I THE CONSTITUTION The core issue is whether the current federal succession statute, 3 USC

### **Veil of Ignorance Rules in Constitutional Law**

10Id art II, § 1, cls 3, 5 (providing rules for presidential election and succession); id amend XII (providing rules for presidential election); id amends XX, XXV (providing rules for presidential succession) 11 The most sustained discussion in the law review literature is an excellent short treatment

### **The Political Question of Presidential Succession**

succession<sup>18</sup> The problem with this argument as they candidly acknowledge, however, is that the Constitution does not use the words "Officer of the United States" in the Presidential Succession Clause, even though it uses variations of that phraseology in eight other places<sup>19</sup> Only in the

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the obligation written in the Constitution requiring that Presidential and Congressional elections be held at fixed times"); Lippmann, The Presidential Succession, Wash Post, Dec 12, 1963, p A21, col 1-3 ("There are several very grave objections to the present law");

**MICHIGAN LAW REVIEW**

Arthur assumed presidential power, the Democrats controlled the Senate; and when Cleveland had no Vice President to succeed, the upper chamber was organized by the Republicans The result of this chain of events was the enactment of the second presidential succession law B Law of 1886 The Presidential Succession Act of 1886, which was on the

**US NATURALIZATION TEST STUDY GUIDE USING THE ...**

The Line of Presidential Succession If the president can no longer serve, the vice president becomes president This happened in 1963, when President John F Kennedy, the 35th president of the United States, was shot and killed President Kennedy had only been in office for two years of his four-year term Vice President Lyndon B Johnson