Imbalance of Powers: Congress, the President and the Constitution after 9/11

Gordon Silverstein
Assistant professor of political science, University of California—Berkeley

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At Berkeley, Gordon Silverstein teaches courses in constitutional law, civil liberties, comparative constitutionalism, and the separation of powers. Before joining Berkeley’s faculty, Silverstein held faculty positions in political science, law, and administrative science at Rice University, Dartmouth College, the University of Minnesota, and Lewis & Clark College. In addition, he served as a program director for the nonprofit, nonpartisan New America Foundation in Washington, D.C. The author of *Imbalance of Powers: Constitutional Interpretation and the Making of American Foreign Policy* (1997), he is working on a new book titled *How Law Kills Politics*. Following his undergraduate education at Cornell University, where he served as editor-in-chief of the *Cornell Daily Sun*, Silverstein worked as a journalist for the *Wall Street Journal* in New York and Hong Kong and the *San Francisco Chronicle* before receiving a PhD from Harvard University.
Power Imbalance: So What! My guess is you are reading this article because of the title. And about now you are hoping I did not use an attractive title to lure you into an article about some sad story about power abuse I suffered in graduate school or something. Life isn’t fair. A lot of people suffer. Suffering the misuse of power does not create a position of privilege. Get over it! You are right. And that is why this is not a power imbalance story about one of my grad school experiences. But wait a minute.