

Wanted: White House Shrink

On April 2 Obama was asked by a reporter about the possibility that his signature health care legislation might be ruled unconstitutional. His response showed monumental ignorance and arrogance. He stated, “I’m actually... uh... continue to be confident that the Supreme Court will uphold the law, uh, ... and the reason is, because in accordance with, uh, precedent out there, it’s constitutional.” Obama is incorrect; there is most certainly *no* precedent for requiring citizens to buy a product or service they might prefer to do without. Additionally, it is not up to him to decide whether a particular law is constitutional. That authority rests solely with Supreme Court.

“...I think it’s important,” said Obama, “because I watched some of the commentary last week, to remind people that this is not an abstract argument. People’s lives are affected by the lack of availability of health care, the inaffordability [sic] of health care, their inability to get health care because of pre-existing conditions. The law that’s already in place has already given 2.5 million young people health care that wouldn’t otherwise have it.” Obama’s figure of 2.5 million may have been pulled out of a hat. Regardless of the correct number, he was making an invalid assumption. The fact that insurers have been forced to allow 2.5 million “children” as old as 26 to remain on their parents’ policies does not mean they would all have gone without insurance absent the ObamaCare requirement. (If the federal government were to distribute one million free automobiles, that does not mean that many of the recipients would not have bought one anyway.)

Obama continued, “There are tens of thousands of adults with pre-existing conditions who have health care right now because of this law. Parents don’t have to worry about their children not being able to get health care because they can’t be prevented from getting health care as a consequence of a pre-existing condition. That’s part of this law.” Parents would also not have to worry about feeding their children if the government forced supermarkets to provide free food—but that would not make such a law constitutional. (This is the typical Democrat method for expanding the scope of government: propose or pass legislation that provides a benefit for some people at the expense of others, and then label as mean-spirited anyone who opposes the legislation. Obama would have no qualms supporting legislation that provides dog owners with free heartworm medication and then damning Republicans as “anti-dog” for daring to oppose it.)

“...So that’s just the part that’s already been implemented. That doesn’t even speak to the 30 million people who stand to gain coverage once it’s fully implemented in 2014.” Obama’s estimate of 30 million people is a gross exaggeration, and he does not allow for the millions who will *lose* insurance because of ObamaCare. Most of the nation’s uninsured—probably only about 15 million—are wealthy people who can do without insurance and young, healthy individuals who choose not to buy insurance because they are, well, young and healthy. The poor have Medicaid and senior citizens have Medicare.

Obama then put on his familiar know-it-all cap, saying, “And I think it’s important—and I think the American people understand, uh, [and] I think the [Supreme Court] justices should understand that in the absence of, uh, an individual mandate, you cannot have, uh, a mechanism to ensure that people with pre-existing conditions can actually get health care.” Obama’s statement, “the justices should understand” is clearly meant to intimidate. He is *lecturing* Supreme Court Justices, all of whom certainly know the Constitution better than he does. (Obama is also incorrect; forcing people to buy health insurance is not the only way to address the problem of people with pre-existing conditions, just as forcing everyone to buy a house is not the only solution to the problem of homelessness.)

“Uh, so, so there’s... there’s not only an economic element to this and a legal element to this, but there’s a human element to this. Uh, and I hope that’s not forgotten, uh, in this political debate.” The debate among the Supreme Court Justices should be over the law’s constitutionality and nothing else; rulings should not be based on “human elements” or empathy or sympathy or politics. For someone who is—wrongly—touted as a “Constitutional law professor,” Obama is incredibly ignorant on that point.

“Uh, ultimately,” continued Obama, “I’m confident that the Supreme Court, uh, will not take what would be an unprecedented, extraordinary step of overturning, uh, a law that was passed, uh, by, uh, a strong majority of, uh, a democratically elected Congress.” ObamaCare barely passed the House, 219–212, despite the fact that Democrats had a three-fifths majority, but whether the vote represented a “strong majority” is irrelevant. The Supreme Court’s ruling should be based on the constitutionality of the legislation, *not* its popularity. (For the record, polls show that more Americans are opposed to ObamaCare than support it.) Additionally, it certainly would *not* be “unprecedented” for the Court to rule a federal law unconstitutional; it has done so at least 50 times over the last 30 years. Obama did not explain what would make a ruling against the law “unprecedented.” (He also did not explain why he had his Justice Department file lawsuits against Arizona and other states that passed laws relating to immigration and photo ID for voters—even though those laws were also passed by democratically-elected legislators. Nor did he explain why the Court should not be allowed to overturn an *unconstitutional law* if he himself has the power to veto *constitutional* laws—laws that have also been passed by a “democratically elected Congress.”)

“And I’d... I’d just remind conservative commentators that for years what we’ve heard is the biggest problem on the bench was judicial activism or a lack of judicial restraint, that, uh, an unelected [sic], uh, group of... of people would somehow overturn, uh, a duly constituted and... and passed, uh, law. Uh, well, uh, uh, well, this is a good example. Uh, and I’m pretty confident that this, uh, this court will recognize that, uh, and not take that step.” Obama is flat-out wrong. Ruling ObamaCare unconstitutional would not be “judicial activism;” it would simply be ruling an illegal law illegal. “Judicial activism” refers to situations where judges impose actions or regulations that were *not* mandated by legislation; where judges essentially—and improperly—make their own laws. Examples include *Roe v. Wade*, which invalidated state abortion laws even though there was no constitutional issue involved, and the forced imposition of “Miranda warnings,” even though there is no federal law requiring that police officers “read a criminal his rights.”

The Heritage Foundation commented, “[Obama’s] remarks imply that the Court, were it to rule the individual mandate unconstitutional, would be acting recklessly in undertaking judicial review of Congress’ unprecedented use of the Commerce Clause to force Americans to buy health care or pay a penalty. The irony in all this is that [Obama] has presided over an Administration that is the epitome of recklessly abusing power, at times in flagrant violation of the Constitution, and has empowered unelected bureaucrats to write scads of new regulations impacting nearly every corner of American life. Obamacare, of course, is a prime example of that unchecked and multiplying web of [Obama’s] boundless dictates. The law’s Independent Payment Advisory Board (otherwise known as ‘IPAB’) is packed with unelected bureaucrats who have the power to limit seniors’ treatment options and access to care, essentially ending Medicare as we know it.”

Stephen B. Presser, the Raoul Berger professor of legal history at Northwestern University School of Law and professor of business law at Northwestern University’s Kellogg School of Management, wrote at CNN.com of Obama’s “fundamental misunderstanding of our constitutional tradition. ... Since 1788, in the famous defense of the Constitution set forth by Alexander Hamilton in the Federalist Papers, it has been understood that it is the task of the Supreme Court to rein in majoritarian legislatures when they go beyond what the Constitution permits. This is not, as Obama implies, judicial activism, or political activity on the part of the justices. This is simply, as Hamilton explained, fidelity to the Constitution itself, fidelity to the highest expression of ‘We the People of the United States,’ the body whose representatives ratified that Constitution. ... Judicial review is not usurpation—it is the manner in which the rule of law is preserved in this nation. It is certainly true that sometimes courts, and even the Supreme Court, have erred in their interpretation of the Constitution, and some legislative acts that clearly were permitted by the Constitution have been struck down. But if the ACA’s [ObamaCare’s] individual mandate is rejected, this will be fully within the legitimate exercise of judicial powers. This is because, as was made clear in the recent arguments in the court, that mandate, for the very first time in history, is an attempt to compel virtually every adult American to participate in commerce. It is not an attempt to regulate commerce—which the Constitution permits—but is, instead, an attempt to create and compel commerce, which the Constitution does not authorize. ... This is our tradition, and the ACA’s individual mandate is a fundamental break with that tradition. If, as it should, the Supreme Court declares the individual mandate unconstitutional, it will be reaffirming our traditions, and not usurping them. [Obama], a former constitutional law teacher, should be ashamed of himself.”

On April 3 Obama then lectured the professional journalists at the Associated Press Annual Luncheon. He said, “This bears on your reporting. I think that there is oftentimes the impulse to suggest that if the two parties are disagreeing then they’re equally at fault and the truth lies somewhere in the middle. And an equivalence is presented which I think reinforces peoples’ cynicism about Washington in general. This [the federal budget] is not one of those situations where there’s an equivalency. As all of you are doing your reporting, I think it’s important to remember that the positions that I am taking now on

the budget and a host of other issues, if we had been having this discussion 20 years ago or even 15 years ago ...would've been considered squarely centrist positions." Obama was essentially stating, "When there is a disagreement between me and the Republicans, how dare you suggest that I may be part of the problem and that there can be some middle ground? I am always right, and they are always wrong!"

In the space of two days, Obama told Supreme Court Justices how to interpret the law and told journalists how to report the news. His remarks were shocking and widely condemned. But those remarks were not inadvertent mistakes; they represent the authentic Obama, a person who believes *his* wisdom is superior to everyone else's. Obama has once again demonstrated that he is incapable of accepting criticism. He rarely accepts any without a comment; he feels obligated to strike back. A mere three days after entering the Oval Office, Obama told Republicans leaders in Congress who were wary of the monumental price tag of his stimulus legislation, "You can't just listen to Rush Limbaugh and get things done." Obama was *already* defensive about criticism from Limbaugh. (Did Ronald Reagan let Sam Donaldson or Dan Rather get under his skin? Did George W. Bush respond in kind to repeated criticism from leftist journalists?)

After the Supreme Court's January 2010 decision in *Citizens United v. Federal Election Commission*, Obama boldly criticized the Justices in his State of the Union Address, stating, "Last week, the Supreme Court reversed a century of law to open the floodgates for special interests—including foreign corporations—to spend without limit in our elections. Well I don't think American elections should be bankrolled by America's most powerful interests, or worse, by foreign entities. They should be decided by the American people, and that's why I'm urging Democrats and Republicans to pass a bill that helps to right this wrong." Lying about the decision did not seem to bother Obama. The Court most certainly did *not* reverse the existing prohibition on foreign campaign contributions. But because the Court dared to act contrary to Obama's desire for limits on corporate funding of political advertising and no limits on labor union funding, he believed that the Justices deserved his condemnation—delivered in an inappropriate setting like a petulant child.

Obama clearly cannot handle defiance or criticism because he has been pampered throughout his life. He attended the best private schools. His political path was paved by others. He has been surrounded by "yes men" who do his bidding. He is given prepared scripts to read and is then told he is brilliant for simply having read them aloud. He has accomplished virtually nothing in his 50 years; he has had almost everything handed to him. The only time he faced a tough political opponent (Bobby Rush in a 1990 Democrat primary), he lost by a stunning 30 percent. Obama received accolades for a biography that was probably written mostly by William Ayers. He gained the highest political office in the country not because of any grand personal achievements, but because he is a master con man—and because a leftist media did everything in its power to help him win.

But while a man can take his wisdom and greatness into the Oval Office, its plastered walls cannot themselves make a lesser man wise or great. Obama is one of those lesser men. He knows that—but *only subconsciously*. Consciously, he believes he is blessed

with wisdom and knowledge and that he deserves more than anyone else to be the leader of the free world. Those beliefs are reinforced by the many toadies in the Democrat Party and the mainstream media who continuously declare and exaggerate his greatness on matters both important (“He saved us from another Great Depression!”) and meaningless (the sharp crease of his pants or his masterful swatting of a housefly). Subconsciously, Obama knows that he has achieved little on his own. His success has been the result of others handing success to him, affirmative action, and well-connected sponsors. (Obama’s having been named president of the Harvard Law Review was certainly not based on possession of a brilliant legal mind.)

There is a past behind Obama’s personality and attitudes, to be sure. It cannot have been easy for Obama to have endured abandonment—by his father, his step-father, and repeatedly by his mother. His mind instinctively tried to reject the invalid and self-destructive thought that the abandonment was his own fault, as would anyone’s. But that does not mean the thought did not keep coming back. Do you blame yourself? Do you blame your own father? Your own mother? Is it easier to blame racism? High school friend Keith Kakugawa related that Obama “...made everything out like it was all racial.” After Obama complained about being picked on at the basketball court because of his race, Kakugawa’s father told Obama, “No, Barry, it’s not because you’re black, it’s because you missed two shots in a row.” The impressionable young mind of Obama, filled with both promise and self-doubt, was then turned over to Frank Marshall Davis—a sexual pervert, a drug user and drug dealer, a radical, a communist, a man seething with hatred toward the white race and, by association, its most significant achievement: capitalism. Is it any wonder that Obama end up with anti-capitalist, anti-American attitudes?

Obama’s defensiveness is obvious. His thin skin is apparent to anyone who has paid even minimal attention to his responses to criticism. Many people are, of course, arrogant. Many people have huge egos. Many people are thin-skinned. Many people have self-doubts. But when those traits are pronounced, they make it difficult for an individual to interact normally with other people and properly deal with reality, and they can suggest significant psychological problems. A person who cannot cope with those issues places himself and his family at risk. But when that person resides in the White House, an inability to deal with reality places more than personal relationships at risk. It can place the nation at risk in the event of a significant crisis. If Obama reacts irrationally to comments made by Rush Limbaugh, or Supreme Court decisions, and if he finds it necessary to scold journalists for simply daring to write less-than-fawning stories, how will Obama react to a *real* crisis?

If Obama is about to crack... let’s hope it happens *before* November 6.

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