



A re-elected Obama wouldn't be the end of liberty

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March 19, 2012

I yield to nobody in my conviction that Barack Obama's presidency has been a disaster for the Republic. Last week, in this space, I even suggested that some of his offenses rose to the level of impeachable "high crimes and misdemeanors."

Yet, try as I might, I can't convince myself that the 2012 election is a "hinge of history," and it's "game over" for liberty unless he's defeated. If Obama wins, the fight goes on; if he loses, don't pop the champagne corks just yet.

Consider that, since FDR, few second-term presidents have been capable of great mischief. Obama may have done most of the real damage he's capable of already.

Of course, there's still the matter of undoing the grave damage that's been done.

Mitt Romney has promised to sign a repeal of Obamacare (for which Romneycare served as a model) if he's elected. Obama's veto would be a serious obstacle to repeal, though not necessarily a fatal one, depending on what happens in the Supreme Court.

I asked Michael Cannon, Cato's health policy guru, "how much can be done with defunding if Obama gets re-elected?" Quite a bit, he says, as the health insurance exchanges "are crucial to Obamacare. If the states refuse to create them, the law says the feds can. But it provides zero funds. And good luck getting them through a GOP House."

Should the GOP take the presidency, unified Republican government will present its own challenges. The late Bill Niskanen, longtime chairman of the Cato Institute, noted that America "prosperes most when excesses are curbed, and, if the numbers from the past 50 years are any indication, divided government is what curbs them."

Per Niskanen's calculations, since the end of World War II, unified governments have spent roughly three times as fast as divided ones, and they've been much more likely to waste blood and treasure abroad.

Maybe the days of the "K Street Project" are over, thanks to a Tea Party movement energized by Obama's abuses -- but they'll need to keep holding the Red Team's feet to the fire.

As law professors Eric Posner and Adrian Vermuele point out in their book "Executive Unbound": "The continuity across presidencies is striking. Richard Nixon respected and advanced liberal Great Society programs ... [and] under Reagan, government spending continued its advance."

Obama continued the Bush bailouts, they further note, and he has "retained the main features of virtually every counterterror tool used by the Bush administration."

Indeed, there's something eerily mechanical in the way the modern state steadily expands regardless which party or president holds the office.

Last summer saw the Patriot Act renewed by presidential autopen, just weeks after SEAL Team 6 killed Osama bin Laden. As the terrorist threat receded, the perpetual War on Terror continued, with even American citizens subject to targeting by remote-controlled robot assassins.

In July, one of Washington's perennial budget fights presented an interesting wrinkle: It turned out that, if Congress failed to raise the debt limit by the statutory deadline, the executive branch could not stop spending even if it tried.

Spending would continue, Reuters reported, because Treasury would not be able to "reprogram government computers that generate automatic payments as they fall due." At home and abroad, FedGov is out of control, and it seems there's no manual override switch capable of shutting it down.

As others have observed, our government has become a runaway train -- and presidential elections increasingly look like a struggle to determine who gets to sit in front and pretend he's driving.

The point is to derail this juggernaut, and no single election can do that. Whatever happens in November, the work will have to go on.

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