

## Obama's amnesty declaration: Repudiating the election that repudiated him

By [John Hayward](#)  
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Barack Obama ceased to be the President of the United States on Thursday night. He's still occupying the Oval Office, of course, but it's not the same office any of his predecessors held. It's an insult to all of them, Democrat and Republican alike, to refer to Obama as "President." They all held office under a rule of law that no longer exists. When he talks about taking action because he's tired of waiting for Congress to pass a bill, he is transcending every imaginable Constitutional interpretation of his authority as president. There is no clause that gives him more power because Congress doesn't do what he wants.

It didn't die suddenly, mind you – Thursday night's declaration of amnesty for illegal aliens, in violation of the Constitution, Obama's oath of office, and the express will of the American people was just the next step in a long degenerative process. Depending on how things shake out, it might not be as big of a step as ObamaCare was – look at how much of the Constitution had to be sacrificed so *that* could live, from the end of First Amendment protections for religious liberty, to Obama's lawless ad hoc revision of the law for political needs, to the Supreme Court keeping it alive by hatching a strange new creature known as the "tax/penalty." If the Supreme Court rules the wrong way on its review of *King v Burwell*, our Constitutional order will be changed once again, giving our rulers new power to disregard what laws actually say, and act according to what they now believe the authors of the law probably intended. The Constitution has had a rough six years under assault from a leader who evidently studied it only so he could learn how to kill it, and it's not over yet.

But last night an important line was crossed – a Rubicon, if you will, since imperial Roman allegories are all the rage right now, and Ted Cruz is [quoting Cicero](#) on the Senate floor. The Rubicon wasn't just a significant boundary; it was a line that could not be uncrossed. That's clearly what Emperor Obama thinks amnesty is, and it's doubtless what his munchkins have been telling nervous Democrats behind the scenes: *hang tough, we might get creamed in 2016 for this, but after that we won't have to worry about elections ever again. The process I'm beginning today will change the electorate forever, and that process cannot be stopped.*

We'll see about that, because as liberals are forever failing to understand, no story ends with a speech, the passage of a bill, or (now that passing bills is obsolete) the signing of an imperial decree. Some observers have noted that Obama might have trouble exerting the dictatorial

powers he has claimed. Legal challenges may yet hold the despot in check. His estimation of the political calculus could be mistaken, portending a 2016 election that will shock everyone but him as much as 2014 did. One continues to hear rumblings that [at least half a dozen Democrats](#) could break with Obama on amnesty, but the pressures brought to bear against the caucus to keep renegades in line will be *enormous*... and frankly, if I were doing Obama's bare-knuckle backroom work, I'd bluntly tell these red-state Democrats that no significant number of voters will believe their "break" from Obama is genuine or meaningful anyway. I'm sure that point *will* be quietly made to them, since part of Obama's spin on the midterm elections has been that running away from him didn't win many races, and while his flacks obviously wouldn't put it this way in public, voter skepticism about the sincerity of their anti-Obama claims was part of the reason why.

The short-term political calculus might be off, too. The media action line today is that our benevolent Emperor has showered benefits upon deserving people, and anyone who challenges his edict is a racist (the Democrats' official social media account went so far as to [accuse Republicans](#) of desiring *ethnic cleansing*.) A big part of the euphoric reaction from leftists today comes from the excitement of a defiant Obama repudiating the midterm election that repudiated him, and ordering a crusade his dejected followers can get frisky about joining. They can't *wait* to fill cyberspace with taunts that all dissent from the imperial decree is racist. The more politically savvy members of the Obama Lollipop Guild are hoping spaghetti-spined Republican leaders will [follow Jeb Bush's lead](#) and surrender to the Emperor, after mumbling a few complaints about how terribly outrageous it all is, and maybe some excuses about how they don't think there's anything they can really do to stop him... followed by a heavy sigh and promise to give Obama what he wants in a "comprehensive immigration reform" bill after all. That would trigger a Republican civil war that would make 2016 look a *lot* brighter for the Democrats.

But this sort of outrage can electrify the opposition, too. The inevitable overplaying of this political card by overheated Obama supporters will increase the opposition's voltage. If it was possible to insult the American people into submission, Democrats wouldn't have been massacred in the midterm elections. Capering around the Internet shouting, "Screw your stupid midterm election – the President you strongly disapprove of just gave you and your stupid Congress a big middle finger!" might feel good for a few days, but it's not going to broaden the Democrat coalition.

Conservatives are rising to the occasion and waxing eloquent about the Republic that was formally abolished on Thursday night. Those papers and speeches will find many receptive ears, for the simple reason that *Americans don't want amnesty*, and they have long since fallen out of love with Barack Obama. It's not going to get popular just because Obama gave a speech and his media sycophants dissolved into puddles of quivering goo. It's not even a terribly popular idea with Hispanics – and let's not forget that the *open* racism of Obama's political calculations is another disturbing feature of this move. Racial politics should not become more palatable to *any* American based on which race gets pandered to, even if - *especially when* - it's the race you happen to belong to. In any event, a recent [NBC News](#) poll found that Latino voters support Obama's amnesty by only 43-37 – a six-point edge that gets even smaller when measured against the significant Latino bias towards the Democrat Party. 43-37 means a great deal of Hispanic

voters who supported Obama in both elections, and have never voted for a Republican in their lives, oppose him on this.

And well they should, because as Obama's speech last night made clear, he has *nothing to say* to legal citizens looking for opportunity in the tough economy he has created. If the imperial amnesty decree holds, and the expected tidal wave of new illegals washes across the border, legal citizens who happen to look like them will still be losing their jobs. There isn't going to be any special dispensation for an honorable immigrant born in Mexico who spent a decade, and thousands of dollars, doing things the right way. Such legal immigrants and their children will suffer just like the rest of us as millions of new low-skilled workers are poured into an economy that already has deep-seated problems producing entry-level jobs. The more clear that becomes to legal citizens who hail from Central and South America, and especially to their children and grandchildren, the more amnesty politics are likely to shift. Latino voters might not be thrilled that the Emperor bizarrely decided to [characterize them](#) as fruit-pickers and bed-makers last night, either. Let's see what the growing chorus of angry responses from betrayed legal immigrants to Obama's amnesty giveaway does to public opinion.

Public opinion was already against this, and that's what makes Obama's amnesty decree such a Rubicon moment. Past usurpations of power and violations of the Constitution have generally been accompanied by some argle-bargle about how the ambitious politician was fulfilling the Will of the People and doing what America Really Wants. But America sent the clearest possible signals that it didn't want amnesty. Such matters are not governed by popular referendum, but it's still striking that not a single poll can be produced showing majority support for what Obama did last night, including some resistance from people who are generally in favor of all that "pathway to citizenship" stuff but oppose the way Obama is forcing it down their throats. The most recent election could not have made it more clear that the American electorate doesn't want this. But Obama seized new powers to *override the American people*, acting as the representative of *foreign citizens*.

Even with something like ObamaCare, there was political spin about how some majority percentage of the public vaguely favored its ostensible goals, but not this time. Obama is explicitly rejecting Constitutional authority and the expressed will of the voters, in essence declaring that the voters don't matter, and elections don't matter – he's said as much in recent days, declaring that he derives his authority from his psychic connection to the people who didn't bother to vote. It was always a mistake for Americans to weaken the Constitutional restraints on government power in the pursuit of popular objectives. The very purpose of such restraints is to hold aspiring rulers at bay when they claim to be doing what the public wants. We accepted the tyranny of the majority, and then we submitted to the tyranny of politically active, well-connected minorities, and now we face tyranny in the name of people who aren't part of the American electorate at all. By waxing rhapsodic about the glories of immigration last night, the tyrant shamefully erased the distinction between legal and illegal immigration, a breathtaking insult to those who did the hard work of complying with American law... and he declared that this is no longer an issue on which American citizens have *any say at all*, no matter how many ballots they cast against his will. The issue has been decided by your ruler, and you will now obey.

That argument should be unacceptable to a single patriotic American, no matter what they think about the immigration issue itself – the fact that you’ve been told you can’t even *vote* against these decrees should completely transcend whatever you think about the policy itself. Obama has posed a test to discover just how submissive America has become. In the end, I think we’ll surprise him.

**Update:** Viewed from the standpoint of dispassionate political strategy, the biggest problem for Obama is that his actions will draw significant opposition from people who basically agree that illegal aliens should be given amnesty, but are repulsed by the techniques Obama is using to impose the policy. One such example comes from [Ilya Shapiro at the Cato Institute](#), whose headline sums it up: “Obama’s Executive Action is Good Policy, Bad Law, and Terrible Precedent.” The post even begins with praising Obama’s speech as “excellent,” but things go downhill for the Emperor with each succeeding paragraph.

It would be fair to postulate that some number of people will be influenced in the opposite manner: they aren’t all that crazy about handing out amnesty to illegal aliens, but they approve of Obama’s power grab, or at least enjoy watching the outraged reaction of his critics. There won’t be nearly as many people who see it that way, and virtually all of them were already dead-end Obama supporters. Granted that Obama wants the strife and divisiveness caused by his actions, I nevertheless think he might have underestimated how many amnesty supporters he’s losing by doing what they want, using means they cannot abide.