February 27, 2014

<u>Victor Davis Hanson</u> says this president's mendacity and constant failures, mean nothing to the bien pensants as long as he says the right things.

Losing a job is freedom from job lock. A budget deficit larger than in any previous administration is austerity. A mean right-wing video caused the deaths of four Americans in Benghazi. Al-Qaeda was long ago washed up. The Muslim Brotherhood is secular. Jihad is a personal journey. Shooting people while screaming Allahu akbar! is workplace violence. Unaffordable higher premiums and deductibles are the result of an Affordable Care Act. Losing your doctor and your health-insurance plan prove you will never lose your doctor and your health-insurance plan period! Being a constitutional lawyer means you know how to turn the IRS and the FCC on your enemies. Failure is success; lies are truth.

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There will be more momentary outrages on the horizon, as a president who would fundamentally transform America continues to circumvent the Constitution to do it. The latest are the failed efforts of acting FCC director Mignon Clyburn — daughter of a Democratic stalwart, Representative James Clyburn. She dreamed about monitoring news outlets to ensure that they prove themselves correct in matters of race/class/gender thinking.

Yet after all the 24-hour outrages, and all the op-eds pointing out that a self-described constitutional-law professor has been the worst adversary of the Constitution since Richard Nixon, and after perhaps even a slide in the polls of a point or two, we will soon forget Ms. Clyburn and her idiotic attempts to diversify the news by seeking uniform expression in the media. ...

One of the tribe though, in the person of WaPo's <u>Richard Cohen</u>, seems to have had enough as he writes on Susan Rice and the retreat of American power. Susan Rice ought to stay off "Meet the Press." The last time she was on, she misrepresented what led to the deaths of four Americans in Benghazi, Libya. On Sunday <u>she was back</u>, this time misrepresenting critics of the Obama administration's Syria policy. Last time her misrepresentation was unintentional. This time it wasn't. I prefer it, though, when she doesn't know what she's talking about.

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Jennifer Rubin says the administration's foreign policy needs a reset.

The American people may not follow foreign policy regularly, but they know failure when they see it. They know when the wheels are coming off the bus. <u>Gallup reports</u>: "For the first time, more Americans think President Barack Obama is not respected by other world leaders than believe he is. Americans' opinions have shifted dramatically in the past year, after being relatively stable from 2010 to 2013."

It is not hard to see why. Around the world the president has generated contempt, dismay, or disappointment — but rarely respect. He has shied from enforcing his own red line. He has failed to articulate a U.S. policy toward the countries undergoing turmoil in the Middle East. He's pushing a rotten deal with Iran. He bugged out of Iraq entirely, and now <u>an al-Qaeda flag flies over</u> <u>Fallujah</u>, where just a few years ago Americans lost their lives by the dozens to turn back jihadists.

Perhaps the president needs to do his own reset. A speech would be in order to try to recalibrate his foreign policy and halt the slide into chaos and irrelevancy. ...

For those mystified by the continued opposition to the healthcare act, <u>Noemie Emery</u> reminds us of its illegitimate birth in 2009.

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The gubernatorial elections in November 2009 had been taken as proxies for health care reform, but the December special election in Massachusetts was the third kick of the mule, and by far the

most telling. Symbolically, it was held for the seat of the Father of Health Care, and one of the bill's most conspicuous backers. The governors of two big states couldn't do much to stop health care reform, but a single vote in the Senate was critical. Newly elected Senator Scott Brown had run as the "41st vote" against Obamacare. There were many reasons for people in Virginia and New Jersey to vote for (or against) their new governors. There was only one reason for people in Massachusetts to be voting for Brown.

"Elections have consequences" is a prime rule in politics, but Democrats went out of their way to make sure that this one would be the exception, as their first move after the results in Massachusetts became evident was not to rework the bill to bring it in line with the will of the public, but to game the system to close off the need for a second vote in the Senate, the will of the public be damned.

Medicare, Social Security, and the Civil Rights Act all passed by huge and bipartisan margins, with public opinion strongly in favor. Health care reform passed by 7 votes in the House, losing the votes of 34 Democrats (and all the Republicans), with a strong tide of public opinion running against it. Had there been a Senator Coakley, Republicans would have groaned, but accepted the bill as having been passed by the regular order of business. As it was, they loathed it almost as much for the way it was passed as for what was in it, and never accepted its moral authority. A Gallup poll taken on March 30, 2010, found that 53 percent of Americans considered the way the bill passed an "abuse of power" by Democrats as against 40 percent who found it "appropriate," with 86 percent of Republicans and 58 percent of independents concurring in this negative judgment. Time has done nothing to soften these views.

Ultimately, acts of Congress gain their legitimacy in the way they win or reflect the will of the public, as expressed in the way they are passed. The Civil Rights Act, as Michael Barone reminds us, took place against a background of violence, but the careful and orderly way it was passed helped defuse opposition, and the much-feared resistance to it would never materialize. Full compliance, he notes, was not immediate, "[b]ut after Congress acted in such a deliberate fashion . . . white southerners largely acquiesced." No such deliberation was ever to be seen in the passage of the Affordable Care Act, and acquiescence eludes it, as does the conviction that it is legitimate. It isn't—and never will be.

Thomas Sowell on fairness.

It seems as if, everywhere you turn these days, there are studies claiming to show that America has lost its upward mobility for people born in the lower socioeconomic levels. But there is a sharp difference between upward "mobility," defined as an opportunity to rise, and mobility defined as actually having risen.

That distinction is seldom even mentioned in most of the studies. It is as if everybody is chomping at the bit to get ahead, and the ones that don't rise have been stopped by "barriers" created by "society."

When statistics show that sons of high school dropouts don't become doctors or scientists nearly as often as the sons of Ph.D.s, that is taken as a sign that American society is not "fair."

If equal probabilities of achieving some goal is your definition of fairness, then we should all get together — people of every race, color, creed, national origin, political ideology and sexual

preference — and stipulate that life has never been fair, anywhere or any time in all the millennia of recorded history.

Then we can begin at last to talk sense. ...

Late night humor from Andrew Malcolm.

Conan: Two ex-Pussy Riot punk rock members were detained by Russian police. If convicted, they could face two weeks in a Sochi hotel room.

Letterman: Charlie Sheen is marrying an adult film star. Not only is he marrying her, but she'll be working the bachelor party.

Conan: President Obama has apologized for saying an art history degree holder doesn't earn a lot. Then Obama turned to an art history major and ordered a tall frappucino with soy.

SethMyers: The brassiere turns 100 years old this week. And so does everyone who still calls it a brassiere.

National Review <u>When Failure Is Success</u> For Obama's supporters, what matters is not what he does, but what he says and represents.

by Victor Davis Hanson

Losing a job is freedom from job lock. A budget deficit larger than in any previous administration is austerity. A mean right-wing video caused the deaths of four Americans in Benghazi. Al-Qaeda was long ago washed up. The Muslim Brotherhood is secular. Jihad is a personal journey. Shooting people while screaming Allahu akbar! is workplace violence. Unaffordable higher premiums and deductibles are the result of an Affordable Care Act. Losing your doctor and your health-insurance plan prove you will never lose your doctor and your health-insurance plan — period! Being a constitutional lawyer means you know how to turn the IRS and the FCC on your enemies. Failure is success; lies are truth.

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James Clyburn. She dreamed about monitoring news outlets to ensure that they prove themselves correct in matters of race/class/gender thinking.

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After all, we have forgotten EPA Director Lisa Jackson — former right-hand woman to former New Jersey governor Jon Corzine — who mysteriously disappeared from the EPA after creating a fake e-mail persona, "Richard Windsor." The latter nonexistent crusader won an award from none other than Lisa Jackson's EPA.

And we have forgotten Labor Secretary Hilda Solis, who suddenly disappeared from the Cabinet after the FBI inquired into her Obama fundraising activities as secretary, and who is currently being sued over her mysterious freebie use of a union-owned luxury jet to hop between the coasts.

And we have forgotten Lois Lerner, who focused the IRS on tea-party groups, took the Fifth Amendment, retired, and is no longer "outrageous."

And we have forgotten former Treasury Secretary Timothy Geithner — of failing-to-pay-his-taxes fame — who went back through the revolving door after threatening Standard & Poor's for downgrading the U.S. credit rating.

All these activists spoke a little too candidly about their ideology, crossed the line a bit too much in the defense of progressivism, and then receded as if they had never existed — until the next anonymous progressive hoplite in the phalanx of the hard Left steps up over the corpse into the fray and for a moment or two appears on our television screens. In response, President Obama always seems to take the attitude, What does it matter, and who cares? And so he goes along blaming either President Bush or Fox News, when not citing the conspiracy of ATM machines, earthquakes, and tsunamis that combined to thwart his populist efforts.

Who cares that fiscal discipline is now defined as raising taxes so as to borrow only \$600 billion rather than borrowing \$1 trillion a year for six straight years? And who cares that millions will lose their doctor, their health-care coverage, and most likely their jobs because of Obamacare?

Ditto foreign policy. Who cares that Obama issued five deadlines to Iran to cease enrichment and, when rebuffed, unilaterally dropped sanctions in favor of negotiation? Who cares that he declared a red line in Syria, and when the regime crossed it and gassed its own people, he announced that he had never issued a red line in the first place? Who cares that he issued a step-over line to President Yanukovych of Ukraine, as if anyone would not step over anything because Obama warned him not to?

Ditto also leading from behind in Libya, the flip-flopping from the radical Islamists of the Muslim Brotherhood to the junta in Egypt, the reset with Putin, the friendly initiatives to the late Hugo Chávez that ignored the near collapse of Venezuela, as Latin America goes back to the late 1970s in another failed round of coerced statism. In short, Obama will always poll around 45 percent. That core support is his lasting legacy. In a mere five years, by the vast expansion of federal spending, by the demonizing rhetoric of his partisan bully pulpit, and by executive orders and bizarre appointments, Obama has so divided the nation that he has created a permanent constituency that will never care as much about what he does as it cares about what he says and represents.

For elite rich liberals, whose money and privilege exempt them from the consequences of Obama's policies, and their own ideology, he will always be their totem. He is iconic of their own progressivism and proof of their racial liberalism, and thus allows them to go on enjoying their privilege, without guilt and without worrying too much about how they got it or whether they might lose it.

For the vast new millions on federal disability insurance, food stamps, and other entitlements, Obama is their lifeline to government support. Who would risk losing that by worrying that the world is becoming a very dangerous place? If the IRS has to become politicized, better that it become politicized by going after right-wing tea-party types who would cut government. And if the media are to be investigated, at least the target might be Fox News, which — as the president just complained again to Bill O'Reilly on Super Bowl Sunday — is a thorn in the side of the president's progressive agenda. And if the country is going broke, at least those who will raise taxes are preferable to those who might cut government.

In short, there can be no scandals, or even good or bad news, just what Obama represents — an exemption from normal protocols of public and media scrutiny of his actual record. And so he has established two legacies. He will probably never win back a majority of inductive Americans again, and he will rarely lose his deductive base.

Washington Post Susan Rice and the retreat of American power by Richard Cohen

Susan Rice ought to stay off "Meet the Press." The last time she was on, she misrepresented what led to the deaths of four Americans in Benghazi, Libya. On Sunday <u>she was back</u>, this time misrepresenting critics of the Obama administration's Syria policy. Last time her misrepresentation was unintentional. This time it wasn't. I prefer it, though, when she doesn't know what she's talking about.

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why this is "the alternative" when there are so many others. He just pushed on, leaving this straw man to crinkle and crackle under the hot TV lights and allowing Rice, who is the president's national security adviser, to get away with rebutting an argument that has not been made. She did, though, exhibit an administration mind-set — all or nothing — that, in practice, amounts to nothing.

Rice's was a splendid performance, characteristic of an administration that values the sound of policy over its implementation. But it bore directly on another urgent foreign policy problem confronting Washington and the world: Ukraine. Of course the revolution in that country was discussed, and Rice warned Russia not to resort to force, saying that would be "a grave mistake." She declared the United States on the side of the Ukrainian people, an airy but prudent generalization. This will have to do for the moment.

But matters may soon get out of hand. Russia may not permit the major nation on its southwestern border to align itself with Europe. It's not likely that tanks will roll, but it is not all that unlikely that the Russian-speaking east of the country may turn to Moscow for support.

Ukraine on its own would be a formidable challenge. But it is not alone. It is, in fact, just another place on the globe where nationalism joins separatism to create instability. In September, <u>Scotland</u> <u>will vote on secession</u> from the United Kingdom, and while an independent Scotland is a threat to no one but the Scots (What are they thinking?), it is part of a trend.

Catalonia is uncomfortable in Spain. Belgium is forever breaking up, and in Italy, the <u>Northern</u> <u>League</u> wants nothing to do with the south. Yugoslavia, once one nation, is now effectively seven, Czechoslovakia is two, and the former Soviet Union is now 15 separate nations, one of them being Ukraine. In the Middle East, Syria is flying apart, a Kurdistan is gestating, Iraq will never be the same. And in the Far East, Japan and China, feeling their nationalistic oats, bicker over <u>a</u> <u>collection of rocks</u>.

An increasingly messy world is looking for guidance. But not only does the United States refuse to be its policeman, it won't even be its hall monitor. The utterly false choice in Syria articulated by Rice — America can do nothing because it won't do everything — is noticed by the rest of the world. Obama <u>threatened "consequences"</u> if someone stepped "over the line" in Ukraine. Ah, another line. Is it red?

Economically the world grows closer together. Simultaneously, the world fragments and empires crumble. Believe it or not, these were the conditions that preceded World War I when nationalism burst all constraints. Four empires — the Russian, the German, the Austro-Hungarian and the Ottoman — collapsed and the world hurtled toward an Armageddon that ended only with Hitler putting a pistol to his head and the Enola Gay obliterating Hiroshima.

I predict nothing like that this time around, but the rise of nationalism and the retreat of American power have been seen before. A familiar figure appeared in Kiev and <u>identified himself to the New</u> <u>York Times</u> as Nikolo. "Nationalism is what I believe," he proclaimed. "The nation is my religion." Susan Rice should meet him. His boots are already on the ground.

Right Turn Obama needs a foreign policy reset

by Jennifer Rubin

The American people may not follow foreign policy regularly, but they know failure when they see it. They know when the wheels are coming off the bus. <u>Gallup reports</u>: "For the first time, more Americans think President Barack Obama is not respected by other world leaders than believe he is. Americans' opinions have shifted dramatically in the past year, after being relatively stable from 2010 to 2013."

It is not hard to see why. Around the **(world)** the president has generated contempt, dismay, or disappointment — but rarely respect. He has shied from enforcing his own red line. He has failed to articulate a U.S. policy toward the countries undergoing turmoil in the Middle East. He's pushing a rotten deal with Iran. He bugged out of Iraq entirely, and now <u>an al-Qaeda flag flies over</u> <u>Fallujah</u>, where just a few years ago Americans lost their lives by the dozens to turn back jihadists.

Perhaps the president needs to do his own reset. A speech would be in order to try to recalibrate his foreign policy and halt the slide into chaos and irrelevancy.

Instead of declaring that a decade of war is over he would do well to declare that we live in times of great opportunity but also danger. He could say specifically we stand with the students in Venezuela, the dissidents in Cuba, the imprisoned victims of Vladimir Putin and the people throughout the Middle East yearning to be free. A simple statement of where we stand and whom we support (with free peoples and those seeking freedom) would be a start.

Second, he must rethink round after round of <u>Defense Department budget slashing</u> to dangerous levels with no national security rationale. As Sen. Marco Rubio (R-Fla.) said in a <u>written statement</u> today, "Reducing the size of the Army to its lowest levels in seventy years does not accurately reflect the current security environment, in which the administration's own officials have noted the threats facing our country are more diffuse than ever. Cutting key Air Force and naval capabilities just as we are trying to increase our presence in the Pacific does not make strategic sense. I am concerned that we are on a path to repeat the mistakes we've made during past attempts to cash in on expected peace dividends that never materialized. Mistakes that caused our allies to question America's staying power and encouraged our enemies to test us."

Obama won't pursue entitlement reform of any type, but he's more than willing to cut, recut and cut again the Pentagon budget despite the brewing crises in the Middle East, the unrest in Ukraine, the promised pivot to Asia and of course the threat of a nuclear-armed Iran. By cutting down to the quick he signals we are in retreat and incapable of projecting U.S. power. He should abandon that tact and instead enlist General David Petraeus to go through the budget, formulate reforms and use savings to repair readiness and avoid painful cuts that will affect our troops and their families.

Third, the president would do well to upgrade his advisers. Defense Secretary Chuck Hagel commands no respect and certainly isn't there to be "on the side of the troops" who bear the brunt of the cuts. Susan Rice still has no regrets about her misleading performance on Benghazi and shows absolutely no sign of any coherence, let alone a doctrine in foreign policy. Having politicized national security to new levels, he would be well advised to reach out to Republicans to form bipartisan national security team.

The world doesn't fear or respect the U.S. That is an embarrassment for Obama, but a catastrophe for America, our allies and free peoples. He needs to refocus on national security and turn around the sinking ship. If not, we will look back on this time as the point at which things *really* got bad.

Weekly Standard

A Slight Case of Bastardy

The curious and irregular conception of Obamacare

by Noemie Emery

A number of apologists for the Obama administration declare themselves vexed at the ongoing hostility to the Patient Protection and Affordable Care Act (which isn't affordable, and from which many people are seeking protection), regarding resistance to its charms as a perverse and irrational gesture, uncalled for, eccentric, and strange. It's the law of the land, they tell us, passed fair

and square by both houses of Congress, crowned as constitutional by the highest court of the country, and ratified by the people in Obama's reelection. They note that other historic reforms— Medicare, Social Security—had troubled beginnings and then were embraced by the nation, and that even the Civil Rights Act of 1964, preceded by outbreaks of terrible violence, was accepted quite quickly once passed.

Not so with Obamacare, to which resistance over time has only grown stronger. "Current and former administration officials have been surprised at how steadfast the opposition has remained," the *Washington Post* reported last summer, quoting MIT economist Jonathan Gruber saying, "It used to be you had a fight and it was over, and you moved on." But few have moved on, for reasons which are not all that hard to tease out: It's not working out, in fact it's a disaster; it's blowing holes in the federal budget; the win-to-lose balance is way out of kilter, as many more people are hurt than helped by it. Obamacare may collapse on its own for practical reasons, but there is a fourth strike against it that adds a dimension of weakness no comparable measure has faced: Much of the country believes it's a fraud, passed dishonestly, and not deserving of moral authority. In short, they find it nearly illegal, highly immoral, and possibly fattening. And their minds won't be changed.

There are written rules that make an act legal, and unwritten ones that make it legitimate, and it is the latter ones this act fails. Medicare, Social Security, and the Civil Rights Act had four things in common that made them iconic: They embodied a popular consensus that was strong if not universal; they were passed by large margins with bipartisan backing, which meant their appeal crossed many factions; they were transparent and easy to follow, so the country and Congress could make informed judgments; and they were passed by the usual order of legislative business. The Affordable Care Act, on the contrary, was passed with public opinion running strongly against it; it was passed by the minimum number of votes in the House, with no Republicans voting for it; it was passed through the Senate via a loophole, as it could not have passed through normal procedures; and it was so complex, convoluted, and incomprehensible that its contents were a mystery both to the voters and the members who passed it, and remained so until last October, three and a half years after it passed.

Medicare and Social Security were relatively simple transfers of money, paid for with taxes and given to those deemed eligible for them by virtue of circumstance, and the civil rights laws were even more simple: They gave back rights to black citizens that had been taken from them by prior

government and citizen actions. Obamacare, on the other hand, was a huge, complex bill of more than 2,000 pages that aimed to remake a vast, complex health insurance system, and created large numbers of winners and losers, in ways that few understood. Much of this ignorance was created on purpose, with the full rollout suspended for years, presumably until after Obama had been reelected and the furor surrounding its passage had wound down.

"The White House systematically delayed enacting a series of rules on the environment, worker safety, and health care to prevent them from becoming points of contention before the 2012 election, according to documents and interviews with current and former administration officials," the *Washington Post* reported in December.

Some were instructed to hold off submitting proposals to the White House for up to a year to ensure that they would not be issued before the voters went to the polls. . . . [S]talled regulations included crucial elements of the Affordable Care Act. . . . The Obama administration has repeatedly said that any delays were coincidental, and that such decisions were made without regard to politics. But seven current and former administration officials told the *Washington Post* that the delays were clearly political.

What the administration was trying to hide became clear as the first wave of cancellations rolled through the individual health insurance market last fall, and five to eight million American citizens were told that their existing policies had been canceled, and that any new ones they might get had much higher premiums, much higher deductibles, and a much narrower selection of doctors and hospitals from which to choose.

Democrats, besieged by angry constituents, began begging Obama to issue exemptions—at least until after the midterms had passed. At first, Obamacare partisans claimed that the old plans were "crappy," and that the government had done people a favor by making insurance companies drop them, but they soon gave up on this tack in the face of derision, and began to admit that forcing people to buy narrower plans for a whole lot more money had been part of the plan from the start. "Obamacare proponents who live in the real world might admit that they planned to cancel people's individual plans all along because kicking people off individual policies is at the heart of populating the health exchanges," wrote Charles Krauthammer. "The more honest Obamacare advocates are in effect admitting that to make this omelet you have to break 8 million eggs."

The lawmakers who passed Medicare, Social Security, and the Civil Rights Act had no need to suppress or to lie about their intentions. But with the Affordable Care Act, deception clearly was key. And along with the untruths of omission, there were also a number of sins of commission, like the 29 or so times Obama personally assured the public, "If you like your plan, you can keep it. If you like your doctor, you can keep your doctor," well past the time where he ought to have known that it was a great deal more likely that you could not. But if this had been admitted at the time, the bill would never have passed Congress—and Obama by now might be an ex-president, writing his next volume of memoirs back in Hawaii, safe from the effects of the dread polar vortex, not to mention the political vortex at home.

Thus, the new health care regime in all its particulars was never really debated by Congress and was not ratified by the 2012 election, as pains were taken to make sure its true features were obscured. And saying it passed Congress fair and square only seems truthful if "fair and square" serves to describe a massive defiance of public opinion, startling levels of bribes, threats, and buyoffs, and the use of dubious sleight-of-hand measures to cancel the power of public opinion in the face of inconvenient election results.

The table was set for the last development in September 2008, when the financial collapse just seven weeks before the election turned the electorate almost en masse against the party in power, and a close contest into a nationwide rout. Democrats won the House with a 76-seat majority; in the Senate they held the magic number of 60, just enough to override a filibuster by Republicans and enact pretty much whatever they wished. At once, their eyes lit on health care, almost an afterthought in the campaign, but which overnight became their preoccupation. There was no great clamor for a health care overhaul—80 percent of the country seemed pleased with their coverage—but that barely mattered. For 80-plus years, the liberal base had longed for this moment, and for two years at least had the chance to do what it wanted. Passing a health care bill became the priority. A chance such as this was a once in a lifetime development. Who knew when it might come again?

The problem was that this did not please the voters, and the moment the outlines of the bill emerged in April 2009, they made their annoyance quite clear. There were peaceful though populous protests by the Tea Party, which emerged in opposition to the stimulus and other loosemoney projects, and adopted this cause as its own. Democrats from purple and red states were raked over coals in angry town halls during the late summer recess. Obama's numbers started to drop, sliding from the very high sixties into the middle, and then the low, fifties, and, as he slipped further, pressure on Democrats in the House and the Senate increased.

Whenever it could, the public went out of its way to express its displeasure: voting for Republican governors in Virginia and New Jersey, states won by Obama, a "go slow" sign which was wholly ignored by the president's party, as it plunged ahead, pushing the bill through the Senate the day before Christmas, after the last two reluctant red-state dissenters had been showered with millions of dollars in favors. This wasn't what voters wanted to find under the tree, but Democrats still had their 60 votes in the Senate, or would have again in January when Martha Coakley won the special election in Massachusetts to fill the seat of Edward M. Kennedy, who had died in August. Massachusetts would never send a non-Democrat to fill "the Kennedy seat," as David Gergen had put it. But then Massachusetts did.

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Medicare, Social Security, and the Civil Rights Act all passed by huge and bipartisan margins, with public opinion strongly in favor. Health care reform passed by 7 votes in the House, losing the votes of 34 Democrats (and all the Republicans), with a strong tide of public opinion running against it. Had there been a Senator Coakley, Republicans would have groaned, but accepted the bill as having been passed by the regular order of business. As it was, they loathed it almost as

much for the way it was passed as for what was in it, and never accepted its moral authority. A Gallup poll taken on March 30, 2010, found that 53 percent of Americans considered the way the bill passed an "abuse of power" by Democrats as against 40 percent who found it "appropriate," with 86 percent of Republicans and 58 percent of independents concurring in this negative judgment. Time has done nothing to soften these views.

Ultimately, acts of Congress gain their legitimacy in the way they win or reflect the will of the public, as expressed in the way they are passed. The Civil Rights Act, as Michael Barone reminds us, took place against a background of violence, but the careful and orderly way it was passed helped defuse opposition, and the much-feared resistance to it would never materialize. Full compliance, he notes, was not immediate, "[b]ut after Congress acted in such a deliberate fashion . . . white southerners largely acquiesced." No such deliberation was ever to be seen in the passage of the Affordable Care Act, and acquiescence eludes it, as does the conviction that it is legitimate. It isn't—and never will be.

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Jewish World Review The 'Fairness' Fraud by Thomas Sowell

It seems as if, everywhere you turn these days, there are studies claiming to show that America has lost its upward mobility for people born in the lower socioeconomic levels. But there is a sharp difference between upward "mobility," defined as an opportunity to rise, and mobility defined as actually having risen.

That distinction is seldom even mentioned in most of the studies. It is as if everybody is chomping at the bit to get ahead, and the ones that don't rise have been stopped by "barriers" created by "society."

When statistics show that sons of high school dropouts don't become doctors or scientists nearly as often as the sons of Ph.D.s, that is taken as a sign that American society is not "fair."

If equal probabilities of achieving some goal is your definition of fairness, then we should all get together — people of every race, color, creed, national origin, political ideology and sexual preference — and stipulate that life has never been fair, anywhere or any time in all the millennia of recorded history.

Then we can begin at last to talk sense.

I know that I never had an equal chance to become a great ballet dancer like Rudolph Nureyev. The thought of becoming a ballet dancer never once crossed my mind in all the years when I was growing up in Harlem. I suspect that the same thought never crossed the minds of most of the guys growing up on New York's lower east side.

Does that mean that there were unfair barriers keeping us from following in the footsteps of Rudolph Nureyev?

A very distinguished scholar once mentioned at a social gathering that, as a young man, he was not thinking of going to college until someone else, who recognized his ability, urged him to do so.

Another very distinguished scholar told me that, although his parents were anti-Semitic, it was the fact that he went to a school with many Jewish children that got him interested in intellectual matters and led him into an academic career.

All groups, families and cultures are not even trying to do the same things, so the fact that they do not all end up equally represented everywhere can hardly be automatically attributed to "barriers" created by "society."

Barriers are external obstacles, as distinguished from internal values and aspirations — unless you are going to play the kind of word games that redefine achievements as "privileges" and treat an absence of evidence of discrimination as only proof of how diabolically clever and covert the discrimination is.

The front page of a local newspaper in northern California featured the headline "The Promise Denied," lamenting the under-representation of women in computer engineering. The continuation of this long article on an inside page had the headline, "Who is to blame for this?"

In other words, the fact that reality does not match the preconceptions of the intelligentsia shows that there is something wrong with reality, for which somebody must be blamed. Apparently their preconceptions cannot be wrong.

Women, like so many other groups, seem not to be dedicated to fulfilling the prevailing fetish among the intelligentsia that every demographic group should be equally represented in all sorts of places.

Women have their own agendas, and if these agendas do not usually include computer engineering, what is to be done? Draft women into engineering schools to satisfy the preconceptions of our self-anointed saviors? Or will a propaganda campaign be sufficient to satisfy those who think that they should be making other people's choices for them?

That kind of thinking is how we got ObamaCare.

At least one of the recent celebrated statistical studies of social mobility leaves out Asian Americans. Immigrants from Asia are among a number of groups, including American-born Mormons, whose achievements totally undermine the notion that upward mobility can seldom be realized in America.

Those who preach this counterproductive message will probably never think that the envy, resentment and hopelessness they preach, and the welfare state they promote, are among the factors keeping people down.

IBD Late Night Humor by Andrew Malcolm

Letterman: The bad news is the Sochi Olympics are over. The good news is the Sochi hotels are ready.

Letterman: Russia ended the Sochi Olympics with 33 medals. But only six were stolen by Putin.

Conan: President Obama has asked HBO for free copies of the upcoming season of 'Game of Thrones.' You know how bad things are in this country when even the White House can't afford HBO.

Fallon: Sports shocker last week. Host Russia's hockey team was eliminated from the Olympics. On the bright side, it looks like Siberia's about to get some really good players.

Conan: Russia's favored Olympic men's hockey team was eliminated by Finland. Then an hour later, Russia's men's hockey team was eliminated by Putin.

Conan: The World Clown Assn. has announced the number of clowns worldwide has dropped dramatically. The drop in clowns is mostly due to one fatal car accident.

Conan: Russia won the most Olympic gold medals. Russian athletes said, "We played like our lives were on the line, because our lives were on the line."

Conan: After their hockey team's Olympic losses, people in Russia haven't been this depressed since last week.

Conan: New research claims that 12% of websites are porn. And the other 88% of sites help direct you to porn.

Conan: Two ex-Pussy Riot punk rock members were detained by Russian police. If convicted, they could face two weeks in a Sochi hotel room.

Letterman: Charlie Sheen is marrying an adult film star. Not only is he marrying her, but she'll be working the bachelor party.

Conan: President Obama has apologized for saying an art history degree holder doesn't earn a lot. Then Obama turned to an art history major and ordered a tall frappucino with soy.

SethMyers: The brassiere turns 100 years old this week. And so does everyone who still calls it a brassiere.

Conan: Kim, Khloe and Kourtney Kardashian are unveiling a line of clothing for girls. The Kardashians said, "We want to inspire women of all ages with the message that, if you set your mind to it, there's no one you can't do."

Conan: Big Olympic event last week: The U.S. vs Canada in men's hockey. It was the most that Americans had wanted to see Canadians beaten since they sent us Justin Bieber.

Fallon: President Obama had a special White House screening of "The Monuments Men." Or as Joe Biden called it, "*NOT* 'The Lego Movie."

Fallon: It was revealed this week that Sandra Bullock and George Clooney were NOT the first choices to star in the movie "Gravity." Seriously? Who said "No"? God and Oprah?

Conan: A snowboarder who was raised in America won a gold medal for Russia. So congrats to Edward Snowden.

Conan: Russia won the gold medal in women's figure skating. The Russian skater said she was inspired by her families, her coaches and what happened to the losing Russian men's hockey team.

Conan: A new ballot initiative is being proposed that would divide California into six separate states. The new states would include West California, Central California and Kardashia.

Conan: Old Navy will raise its employees' minimum wage to \$10 per hour. That way they won't have to shop at Old Navy.

Conan: Despite all the Sochi problems, visitors say the Internet works. They've been using it to download hot, sexy pictures of working toilets.

Fallon: The closing Olympics ceremony was on Sunday. Vladimir Putin was like, "It has been a fun time, and I'm sad to see everyone escape."

Fallon: Congrats to Dale Earnhardt Jr., who won his second Daytona 500 Sunday after waiting through a six-hour rain delay. Asked how he felt, Earnhardt said, "BATHROOM!"

Fallon: Canada won Olympic gold in men's hockey. They went crazy back home. Canadians spent all night knocking over cars, then picking them up and leaving a note, "Sorry."

Conan: Jason Collins is the NBA's first openly gay player. He's also the first NBA player not being pursued by a woman for child support.

Fallon: Jason Collins is now with the Brooklyn Nets as the NBA's first openly gay player. Now his next goal: Becoming the Nets' first openly GOOD player.







