

July 23, 2014

**Victor Davis Hanson** posts on the administration's "tranquility."

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*But this summer Obama's tranquil world has descended into medieval barbarism in a way scarcely seen in decades. In Gaza, Hamas is banking its missile arsenal in mosques, schools and private homes; even Hitler did not do that with his V2s. Hamas terrorists resort to trying to wire up animals to serve as suicide bombers. Aztec-style, they seek to capture Israeli soldiers to torture or trade — a sort of updated version of parading captive soldiers up the Templo Mayor in Tenochtitlan.*

*Hamas cannot build a hotel, but instead applies its premodern cunning to tunneling and killing in ever more insidious ways. Yet it proves incompetent in doing what it wishes to do best — kill Jewish civilians. Its efforts to kill Jews while getting killed in the process earn it sympathy from the morally obtuse of the contemporary world who would have applauded Hitler in 1945 as an underdog who suffered greatly as he was overwhelmed by the Allies that he once tried to destroy.*

*In Paris, just seventy years after the Holocaust, sympathetic rioters hit the streets to cheer on Hamas's efforts to kill more Jews with their crude versions of Vergeltungswaffen. The passive French solution apparently is once again to encourage Jews to leave the country, given the growing number of new Nazis in their midst. ...*

**David Bernstein** in Volokh tells about Jewish self defense in Paris.

*This sounds like a headline from Tsarist Russia in 1910, but in fact it was last week in Paris. A group of anti-Israel demonstrators tried to storm a synagogue, but Jews had their own undercover agents at the protests so they could raise the alarm if any of the protestors started to engage in violence. They did so, and the rioters were beaten back by a combination of "right-wing" Jewish youth groups and communal security. Unlike in Tsarist Russia, the authorities aren't on the side of the attackers, and they eventually arrived in sufficient numbers to disperse the attackers.*

*Making it safe for Jews in Europe isn't really that complicated—the police need to be proactive, using intelligence gathering, decoys wearing kippot and other Jewish garb to draw attackers and arrest them, stings, and so on. Unfortunately, though, policing in Europe is by custom almost entirely reactive, the belief is that specifically doing anything proactively stopping anti-Semitic violence would be "provocative," and the Jewish leadership, as a well-placed European friend told me, is too ineffectual to demand anything different.*

**Michael Barone** has more on "tranquility."

*... Many things seem to be spinning out of control. Important government agencies are malfunctioning -- the Internal Revenue Service, Veterans Affairs. Obamacare is producing higher health care premiums and is on track to deliver more.*

*Tens of thousands of underage and some not-so-underage Central American illegal immigrants are streaming across the Rio Grande, and the government is flying them to parts unknown -- and sending 38 back to their home countries.*

*Abroad things are even worse. In Syria there is violent civil war, and next door in Iraq terrorists are proclaiming a caliphate.*

*Israel has been forced to launch a ground attack on the terrorist Hamas regime in Gaza.*

*A Malaysian airliner cruising at 33,000 feet over Ukraine has been brought down by a rocket, probably by thugs armed by Vladimir Putin's Russia.*

*The president, in-between fundraisers, has time for a photo-op playing pool in Colorado, but not for one on the border.*

*He has time for only two sentences on the airliner shoot-down before a photo-op and two more fundraisers. First things first. ...*

As an example of how badly things go for the president, The Washington Post had a long article on how much the white house knew about the border crisis in Texas more than a year ago.

*Nearly a year before President Obama declared a humanitarian crisis on the border, a team of experts arrived at the Fort Brown patrol station in Brownsville, Tex., and discovered a makeshift transportation depot for a deluge of foreign children.*

*Thirty Border Patrol agents were assigned in August 2013 to drive the children to off-site showers, wash their clothes and make them sandwiches. As soon as those children were placed in temporary shelters, more arrived. An average of 66 were apprehended each day on the border and more than 24,000 cycled through Texas patrol stations in 2013. In a 41-page report to the Department of Homeland Security, the team from the University of Texas at El Paso (UTEP) raised alarms about the federal government's capacity to manage a situation that was expected to grow worse.*

*The researchers' observations were among the warning signs conveyed to the Obama administration over the past two years as a surge of Central American minors has crossed into south Texas illegally. More than 57,000 have entered the United States this year, swamping federal resources and catching the government unprepared.*

*The administration did too little to heed those warnings, according to interviews with former government officials, outside experts and immigrant advocates, leading to an inadequate response that contributed to this summer's escalating crisis. ...*

... top officials at the White House and the State Department had been warned repeatedly of the potential for a further explosion in the number of migrant children since the crisis began escalating two years ago, according to former federal officials and others familiar with internal discussions. The White House was directly involved in efforts in early 2012 to care for the children when it helped negotiate a temporary shelter at Lackland Air Force Base in San Antonio.

*"There were warning signs, operational folks raising red flags to high levels in terms of this being a potential issue," said one former senior federal law enforcement official, who spoke on the condition of anonymity to talk candidly about internal operations.*

*The former official said the agencies primarily in charge of border security, Customs and Border Protection and Immigration and Customs Enforcement, were “ringing alarm bells” within the administration.*

*Meanwhile, top officials focused much of their attention on political battles, such as Obama’s 2012 reelection campaign ...*

**Daily Caller** with more on the efforts to hide the border crisis.

*New data shows the White House has painted a false picture of the Central American migration by hiding a huge spike in “family units” who are illegally crossing the Texas border.*

*The data, which was dumped by the U.S. border patrol late Friday afternoon, shows that inflow of youths and children traveling without parents has doubled since 2013, to 57,525 in the nine months up to July 2014. ...*

*... In the Rio Grande area where most of the migrants are crossing the border, the number of so-called “unaccompanied children” was actually outnumbered by the inflow by adults, parents and children in “family units,” according to the data.*

*The much-faster growth in “family units” has been hidden by White House and agency officials, who have tried to portray the influx as a wave of children fleeing abuse and violence.*

*Top officials, such as Jeh Johnson, the secretary of Homeland Security, has explained the influx as a child migration, and justified the government’s welcoming response as acting “in the best interests of the children.” That portrayal has been picked up and spread by Democratic legislators, reporters and bloggers — such as Greg Sargent at The Washington Post and Rachel Lienesch at the Huffington Post – to help mute the public’s growing anger at the Democrats’ failure to guard the border. ...*

**Michael Barone** says today's Halbig v. Burwell decision was a stunning rebuke of a lawless and reckless administration. **July 17th Pickings** ran an article by John Fund on the upcoming Halbig decision.

*The decision by the U.S. Court of Appeals for the District of Columbia in Halbig v. Burwell, announced Tuesday, is a stunning blow to Obamacare and the Obama administration.*

*Judge Thomas Griffith's majority opinion ruled that Obamacare -- the Patient Protection and Affordable Care Act -- means what it says. Obamacare subsidies are available to consumers in states that set up state health care exchanges, just as the statute specifically authorizes. But they are not available to consumers in states -- 36 of them -- which did not set up state health care exchanges but allowed federal exchanges there instead, in accordance with the Act. Nowhere does the Act authorize subsidies in such states. ...*

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PJ Media

## Obama's Tranquility

by Victor Davis Hanson

Barack Obama's team recently took credit for improving the "tranquility of the global community," and the president made it clear just what a calm place the world has become during his tenure.

But this summer Obama's tranquil world has descended into medieval barbarism in a way scarcely seen in decades. In Gaza, Hamas is banking its missile arsenal in mosques, schools and private homes; even Hitler did not do that with his V2s. Hamas terrorists resort to trying to wire up animals to serve as suicide bombers. Aztec-style, they seek to capture Israeli soldiers to torture or trade — a sort of updated version of parading captive soldiers up the Templo Mayor in Tenochtitlan.

Hamas cannot build a hotel, but instead applies its premodern cunning to tunneling and killing in ever more insidious ways. Yet it proves incompetent in doing what it wishes to do best — kill Jewish civilians. Its efforts to kill Jews while getting killed in the process earn it sympathy from the morally obtuse of the contemporary world who would have applauded Hitler in 1945 as an underdog who suffered greatly as he was overwhelmed by the Allies that he once tried to destroy.

In Paris, just seventy years after the Holocaust, sympathetic rioters hit the streets to cheer on Hamas's efforts to kill more Jews with their crude versions of Vergeltungswaffen. The passive French solution apparently is once again to encourage Jews to leave the country, given the growing number of new Nazis in their midst. Whether Hamas or Putin, the European response is always the same: why cannot they just go away to bother to some Jews or Americans, and leave us alone?

Russian operatives, role-playing as Ukrainian separatists, shot down a civilian airliner, then tried to doctor the debris field, then let the bodies decay, and now are looting the wallets of the dead. You cannot get much less tranquil than that.

In Iraq, ISIS, not content with the usual Middle East savagery, resorts to warring on religious icons, as if torture and murder of the living do not offer enough outlet for their barbarity. They blow up mosques, shatter tombs, and deface graveyards, in their eagerness to restore the 7<sup>th</sup> century. All that seems more Dark Age than merely medieval.

Iran just missed our "deadline" that was supposed to result in fewer centrifuges in exchange for suspending the sanctions. No sane person now believes that the Iranians will stop nuclear enrichment, or will not get a bomb, or will not threaten to use it when they get one. What will Secretary Kerry do, now that the currency of "red lines," "deadlines" and "step-over lines" has been all used up?

On the southern border, parents in Central America send unescorted preteens northward among thugs, rapists, and murderers, in hopes that their offspring will survive and thus either anchor their own immigration or at least send back money from the north. Somehow that reality is lost in all the talk about the "children" — the abject callousness of the parents, the greedy cynicism of Central American governments, the shameless duplicity of Mexico that facilitates the transit of children, and the wink-and-nod demographic angling of the Obama left. Add it all up and we see tens of thousands of children manipulated as mere pawns, as racialists, the callous, and the conniving all call others the very names that properly fit only themselves.

Why go into the torturing, dismemberment and gassing in Syria, or the random savagery of Libya, or what the cartels do each day in Mexico?

In short, outside the rather limited Western world of democracy and free market capitalism, the world — Africa, Latin America, Asia, the Middle East — is a very untranquil place, where the strong dictate to the weak and the weak suffer as they must.

The West is not perfect. It is aging and tired. But right now Obama's mythical vision of global tranquility exists only in the Westernized world, the result of an aberrant 2,500-year tradition that most of the world despises even as it incompetently seeks to emulate it or travel to it — or just destroy what it cannot have.

Some tranquility.

## **Volokh Conspiracy**

### **[Attempted pogrom thwarted by Jewish self-defense groups](#)**

by David Bernstein

This sounds like a headline from Tzarist Russia in 1910, but [in fact it was last week in Paris](#). A group of anti-Israel demonstrators tried to storm a synagogue, but Jews had their own undercover agents at the protests so they could raise the alarm if any of the protestors started to engage in violence. They did so, and the rioters were beaten back by a combination of "right-wing" Jewish youth groups and communal security. Unlike in Tzarist Russia, the authorities aren't on the side of the attackers, and they eventually arrived in sufficient numbers to disperse the attackers.

Making it safe for Jews in Europe isn't really that complicated—the police need to be proactive, using intelligence gathering, decoys wearing kippot and other Jewish garb to draw attackers and arrest them, stings, and so on. Unfortunately, though, policing in Europe is by custom almost entirely reactive, the belief is that specifically doing anything proactively stopping anti-Semitic violence would be "provocative," and the Jewish leadership, as a well-placed European friend told me, is too ineffectual to demand anything different.

## **Examiner**

### **[Obama Dragged Down by Chaos at Home and Abroad, Not by the Economy](#)**

by Michael Barone

"Why do you think President Obama's job rating is falling, even though the economy is recovering?" the interviewer asked.

It's a fair question, even though the economy declined 2.9 percent in the first quarter, even though most jobs created in June were part-time, and even though labor force participation remains low.

The fact is that the economy is growing, however slowly; jobs are being created, and the unemployment rate is heading down toward what economists consider full employment. And still the president's job rating languishes.

What's wrong with the question is an assumption embedded within it, that what voters seek most from government and political officeholders is economic growth. I think there's something they value even more: the maintenance of order.

This isn't what I was taught in political science classes. Political scientists who had grown up in the 1930s' Depression taught that politics was about "who gets what, when and how."

Operating on that assumption, political scientists developed rules that explained past election outcomes as a function of economic variables -- how much the economy grew in the second quarter of the election year, for example.

Those rules generally worked pretty well at predicting future elections -- until they didn't.

What they don't explain very well are the political upheavals that come when voters perceive that the nation and the world are in disarray. Americans, blessed with a mostly happy history, tend to take fundamental order for granted. They recoil and rebel when things spin out of control.

Example: The political scientists taught that the big shift toward Democrats in 1874 was a response to the financial panic of 1873. Sort of like the Great Depression.

But further study convinces me it was a rebellion against Ulysses Grant's military occupation of the South to protect blacks' rights. Voters tired of violence voted for the anti-black Democrats, who held House majorities for 14 of the next 20 years and won the popular vote for president in five of six presidential elections in those years.

Or consider Republicans' "back to normalcy" victory in 1920. This was a response to disorder at home (dizzying inflation and depression, waves of strikes, terrorist bombings) and abroad (Communist revolutions, continued fighting in Russia and the Middle East, rejection of Woodrow Wilson's League of Nations).

Closer to our times, Jimmy Carter was rejected in 1980 as the nation faced not only stagflation (inflation-plus-recession) at home and but also an "arc of instability" abroad.

Americans, unlike voters in many other countries, demand the maintenance of order in the world as well in their own nation. From the early days of the republic, there has been an unspoken awareness that what happens in the world affects their own lives.

In the 19th century, American merchants went out into the Mediterranean, American whalers to the Pacific, American missionaries to China and the Middle East.

American troops followed. The Navy and Marines went after the Barbary pirates on the shores of Tripoli. American gunboats opened Japan to the world in 1854 and were stationed on rivers in China from the 1840s to the 1930s.

Which brings us to today. Many things seem to be spinning out of control. Important government agencies are malfunctioning -- the Internal Revenue Service, Veterans Affairs. Obamacare is producing higher health care premiums and is on track to deliver more.

Tens of thousands of underage and some not-so-underage Central American illegal immigrants are streaming across the Rio Grande, and the government is flying them to parts unknown -- and sending 38 back to their home countries.

Abroad things are even worse. In Syria there is violent civil war, and next door in Iraq terrorists are proclaiming a caliphate.

Israel has been forced to launch a ground attack on the terrorist Hamas regime in Gaza.

A Malaysian airliner cruising at 33,000 feet over Ukraine has been brought down by a rocket, probably by thugs armed by Vladimir Putin's Russia.

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He has time for only two sentences on the airliner shoot-down before a photo-op and two more fundraisers. First things first.

Not everything spinning out of control is the president's fault. But his responses so far have confirmed voters' sense that the nation and the world are in disarray.

This, not economic sluggishness, is why he and his party are in trouble.

## **Washington Post**

### **Obama aides were warned of brewing border crisis**

by David Nakamura, Jerry Markon and Manuel Roig-Franzia

Nearly a year before President Obama declared [a humanitarian crisis on the border](#), a team of experts arrived at the Fort Brown patrol station in Brownsville, Tex., and discovered a makeshift transportation depot for a deluge of foreign children.

Thirty Border Patrol agents were assigned in August 2013 to drive the children to off-site showers, wash their clothes and make them sandwiches. As soon as those children were placed in temporary shelters, more arrived. An average of 66 were apprehended each day on the border and more than 24,000 cycled through Texas patrol stations in 2013. In [a 41-page report to the Department of Homeland Security](#), the team from the University of Texas at El Paso (UTEP) raised alarms about the federal government's capacity to manage a situation that was expected to grow worse.

The researchers' observations were among the warning signs conveyed to the Obama administration over the past two years as a surge of Central American minors has crossed into south Texas illegally. More than 57,000 have entered the United States this year, swamping federal resources and catching the government unprepared.

The administration did too little to heed those warnings, according to interviews with former government officials, outside experts and immigrant advocates, leading to an inadequate response that contributed to this summer's escalating crisis.

Federal officials viewed the situation as a "local problem," said Victor Manjarrez Jr., a former Border Patrol station chief who led the UTEP study. The research, conducted last year, was funded by the Department of Homeland Security and published in March. A broader crisis was "not on anyone's radar," Manjarrez added, even though "it was pretty clear this number of kids was going to be the new baseline."

Cecilia Muñoz, Obama's domestic policy adviser, said the administration and key agencies had made adjustments over time to deal with the influx of children but then responded with urgency once federal officials realized in May that the numbers would far exceed internal projections of 60,000 minors crossing the border in 2014.

Revised Border Patrol estimates now suggest the number could reach 90,000 by the end of September.

Last month, Obama ordered an emergency response overseen by the National Security Council and the Federal Emergency Management Agency, and he [asked Congress to approve \\$3.7 billion in emergency funds](#).

"What happened this year was . . . off-the-charts different," Muñoz said. "It was not the same pattern. We assumed a significant increase, but this was not the same kind of trend line.

"This trend was more like a hockey stick, going up and up and up," Muñoz added. "Nobody could have predicted the scale of the increase we saw this year. The minute we saw it, we responded in an aggressive way."

But top officials at the White House and the State Department had been warned repeatedly of the potential for a further explosion in the number of migrant children since the crisis began escalating two years ago, according to former federal officials and others familiar with internal discussions. The White House was directly involved in efforts in early 2012 to care for the children when it helped negotiate [a temporary shelter at Lackland Air Force Base](#) in San Antonio.

"There were warning signs, operational folks raising red flags to high levels in terms of this being a potential issue," said one former senior federal law enforcement official, who spoke on the condition of anonymity to talk candidly about internal operations.

The former official said the agencies primarily in charge of border security, Customs and Border Protection and Immigration and Customs Enforcement, were "ringing alarm bells" within the administration.

Meanwhile, top officials focused much of their attention on political battles, such as Obama's 2012 reelection campaign and the push to win congressional support for a broad immigration overhaul, that would have been made more difficult with the addition of a high-profile border crisis. ...

... Expressions of alarm

In Texas and in Central America, officials viewed the situation with greater alarm. In April 2012, the first ladies of Mexico, Honduras and Guatemala [voiced their concerns](#) at a conference in Washington on unaccompanied minors. "The statistics are worrisome," said Guatemala's Rosa María Leal de Pérez.

A week later, Texas Gov. Rick Perry (R) [wrote a blistering letter to Obama](#), citing a 90 percent increase over the previous year in the number unaccompanied minors arriving from Central America. If the president failed "to take immediate action to return these minors to their countries of origin and prevent and discourage others from coming here, the federal government is perpetuating the problem," [Perry wrote](#). "Every day of delay risks more lives. Every child allowed to remain encourages hundreds more to attempt the journey." ...

**Daily Caller**

## **White House Hid Huge Spike Of Families Crossing Border**

by Neil Munro

New data shows the White House has painted a false picture of the Central American migration by hiding a huge spike in “family units” who are illegally crossing the Texas border.

The data, which was dumped by the U.S. border patrol late Friday afternoon, shows that inflow of youths and children traveling without parents has doubled since 2013, to 57,525 in the nine months up to July 2014.

But the number of migrants who cross the border in so-called “family units” has spiked five-fold to 55,420, according to [the border patrol's data](#), which came out amid a storm of news about the shoot-down of a Malaysian aircraft in Ukraine, delays in failed U.S. nuke talks with Iran, and on Hamas' continued war against Israel.

In the Rio Grande area where most of the migrants are crossing the border, the number of so-called “unaccompanied children” was actually outnumbered by the inflow by adults, parents and children in “family units,” according to the data.

The much-faster growth in “family units” has been hidden by White House and agency officials, who have tried to portray the influx as a wave of children fleeing abuse and violence.

Top officials, such as Jeh Johnson, the secretary of Homeland Security, has explained the [influx as a child migration](#), and justified the government's welcoming response as acting “in the best interests of the children.” That portrayal has been picked up and spread by Democratic legislators, reporters and bloggers — such as Greg Sargent at [The Washington Post](#) and Rachel Lienesch at [the Huffington Post](#) — to help mute the public's growing anger at the Democrats' failure to guard the border.

However, that effort has largely failed. Most of the unaccompanied youths say they're aged 14 to 17, and many are seeking jobs. Also, [multiple polls](#) shows the [majority of Americans](#) — and near-majorities of Latin-Americans — blame Obama for the breakdown. A July Gallup poll shows that the crisis has prompted Americans to identify it as [the nation's leading problem](#).

White House officials also touted the wave of so-called “unaccompanied children,” and downplayed the “family units,” because they wished to focus the media's attention on a supposed problem caused by a 2008 law, titled the William Wilberforce Trafficking Victims Protection Reauthorization Act.

White House officials say the law prevents them from repatriating Central Americans youths and children once they're legally dubbed “unaccompanied alien children.” Officials also say the 2008 law forces them to settle the youths in the United States until judges decide if they can stay in the country.

The 2008 law was designed to allow severely-traumatized victims of forced trafficking — such as teenage prostitutes held by violent pimps — to apply for green cards in the United States.

In fact, the Central American youths [are not being trafficked](#). Instead, many youths or their parents pay so-called coyotes to help them cross the border, and most are eventually handed over to [their parents and relatives](#) living in the United States, often illegally.

If the youths were not deemed to be protected by the 2008 law, other immigration laws would have allowed officials to repatriate them rapidly.

Many of the men, women and children who cross the border in “family units” are temporarily held until they’re transported to cities where they have relatives or friends.

Those resettlement efforts have sparked a growing [wave of nationwide protests](#), and denunciations from governors and federal legislators. Officials have [tried to hide the migrant transfers](#) and locations to mute protests.

## Examiner

### [Halbig v. Burwell: a stunning rebuke of a lawless and reckless administration.](#)

by Michael Barone

The decision by the U.S. Court of Appeals for the District of Columbia in [Halbig v. Burwell](#), announced Tuesday, is a stunning blow to [Obamacare](#) and the Obama administration.

Judge Thomas Griffith's majority opinion ruled that Obamacare -- the [Patient Protection and Affordable Care Act](#) -- means what it says. Obamacare subsidies are available to consumers in states that set up state [health care exchanges](#), just as the statute specifically authorizes. But they are not available to consumers in states -- [36 of them](#) -- which did not set up state health care exchanges but allowed federal exchanges there instead, in accordance with the Act. Nowhere does the Act authorize subsidies in such states.

As Judge A. Raymond Randolph wrote, concurring fully in the judgment, “to hold otherwise would be to engage in distortion, not interpretation.” Judge Randolph quotes the words of Justice Louis Brandeis, long a hero in the liberal pantheon, in the 1926 case of [Iselin v. U.S.](#): “What the government asks is not a construction of a statute, but, in effect, an enlargement of it by the court, so that what was omitted, presumably by inadvertence, may be included within its scope. To supply omissions transcends the judicial function.”

In this case, however, what the government wanted the court to supply was not omitted through inadvertence, but on purpose. [Congress](#) wanted to give the states an incentive to set up their own health care exchanges, and so provided that consumers only in states with state health care exchanges would be eligible for subsidies. But this attempt to bludgeon the states into setting up their own exchanges -- to absolve the federal government of the responsibility for doing so, at which it subsequently showed itself to be incompetent -- but some 36 states declined the invitation (or, if you like, resisted the bribe).

So what did the Obama administration do? Something typical: it acted lawlessly. Subsidies would be paid that were never authorized by Congress. The instrumentality would be the [Internal Revenue Service](#), which in this administration has shown itself entirely capable of politically motivated lawless behavior. But lawlessness may not be the worst of it. This was also a reckless action.

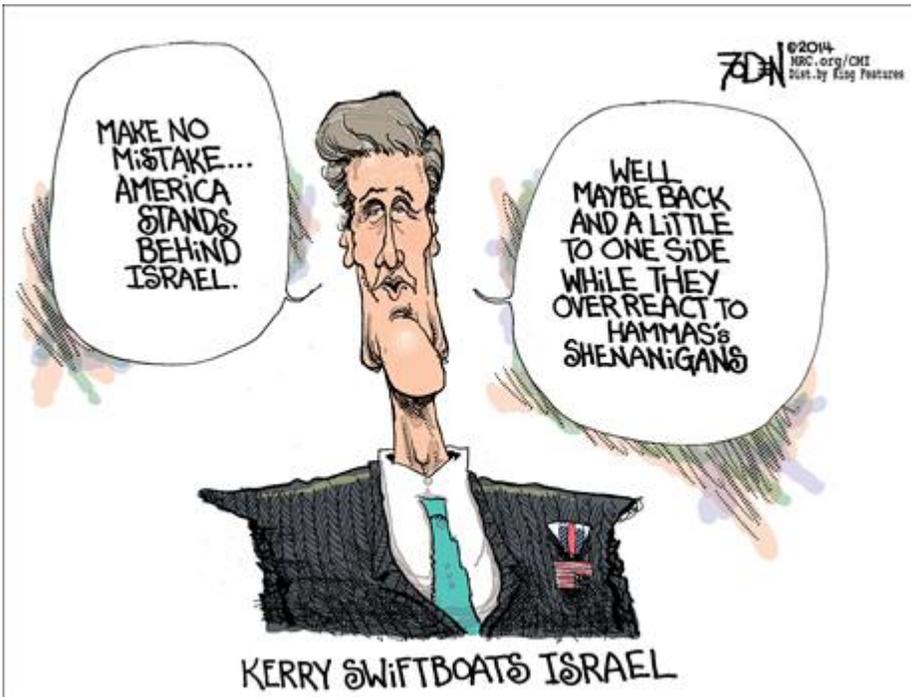
The fact that the statute did not authorize subsidies in states with federal exchanges made the administration's action vulnerable in court. When it became clear that many states would not set up their own exchanges, the administration could have asked Congress to rewrite the statute.

Undoubtedly this would have required major changes beyond the addition of a clause authorizing the subsidies, since by that time Republicans had a majority in the [House of Representatives](#). But the Constitution's provisions requiring that laws be made by Congress and be faithfully executed by the president were not designed to make lawmaking easy or pleasant.

The administration chose to bet that courts would not read the statute as saying what in fact it says. At the D.C. Circuit, at least, it lost that bet.

The D.C. Circuit's decision is not final; the government may seek an en banc hearing by the entire appeals court or review in the [Supreme Court](#). But some 5 million people are said to be directly and adversely affected if the D.C. Circuit's ruling is upheld. That's the kind of thing that happens when you have a lawless and reckless administration.







THE OTHER WAR ON WOMEN