when discussing executive orders we need to avoid a number of things. First, we should not categorically condemn all executive orders as being illegal simply because they are issued by the president, since the many are constitutional and appropriate. Second, we should avoid blaming only Democratic or Republican presidents, because both parties have transgressed in this area and need serious reforming. Third, most executive orders involve internal affairs within government and have little direct impact on the population at large. With this said, however, we must be aware that the temptation to accumulate power is every present in the White House, and many presidents abuse their power through legislative executive orders, belittling Congress in the process and stealing our Constitutional rights and freedoms from under our noses. Let us not become ignorant or passive when it comes to holding our government accountable.

August 21, 2012

The Constitution can’t protect us if we don’t protect it.

By  Thomas Sowell

The America that has flourished for more than two centuries is being quietly but steadily dismantled via executive order…

For example, the merits or demerits of President Obama’s recent executive order, which suspends legal liability for young people who are here illegally (presumably as a result of being brought here as children by their parents), can be debated pro and con. But such a debate overlooks the much more fundamental undermining of the whole American system of constitutional government.

The separation of powers into legislative, executive, and judicial branches of government is at the heart of the Constitution of the United States — and the Constitution is at the heart of freedom for Americans.

No president of the United States is authorized to repeal parts of legislation passed by Congress. He may veto the whole piece of legislation, but then Congress can override his veto if they have enough votes. Nevertheless, every president takes an oath to faithfully execute the laws that have been passed and sustained — not just the ones he happens to agree with.

If laws passed by the elected representatives of the people can be simply overruled unilaterally by whoever is in the White House, then we are no longer a free people choosing what laws we want to live under.

When a president can ignore the plain language of duly passed laws, and substitute his own executive orders, then we no longer have “a government of laws, and not of men” but a president ruling by decree, like the dictator in some banana republic.

When we confine our debates to the merits or demerits of particular executive orders, we are tacitly accepting arbitrary rule. The Constitution of the United States cannot protect us unless we protect the Constitution. If we allow ourselves to get bogged down in the details of particular policies imposed by executive orders, and vote solely on that basis, then we have failed to protect the Constitution — and ourselves.

Whatever the merits or demerits of the No Child Left Behind Act, it is the law until Congress either repeals it or amends it. But for Barack Obama to unilaterally waive whatever provisions he doesn’t like in that law undermines the fundamental nature of American government.

President Obama has likewise unilaterally repealed the legal requirement that welfare recipients must work by simply redefining “work” to include other things like going to classes on weight control. If we think the bipartisan welfare-reform legislation from the Clinton administration should be repealed or amended, that is something for the legislative branch of government to consider.

There have been many wise warnings that freedom is seldom lost all at once. It is usually eroded away, bit by bit, until it is gone. You may not notice a gradual erosion while it is going on, but you may be shocked to discover one day that it is all gone, that we have been reduced from citizens to subjects, and the Constitution has become just a meaningless piece of paper.

Obamacare imposes huge costs on some institutions, while the president’s arbitrary waivers exempt other institutions from having to pay those same costs. That is hardly the “equal protection of the laws,” promised by the 14th Amendment.

John Stuart Mill explained the dangers in that kind of government long ago: “A government with all this mass of favours to give or to withhold, however free in name, wields a power of bribery scarcely surpassed by an avowed autocracy, rendering it master of the elections in almost any circumstances but those of rare and extraordinary public excitement.”

1. Identify how executive orders have been used to bypass or override Congressional laws concerning the following issues:
Immigration -

Education -

Welfare -

Healthcare –

2. How does the Constitution try to protect our freedoms? (paragraph 2) What does the Constitution say the president may do regarding a bill from Congress?

3. Why is it dangerous for a president to ignore or overrule laws of Congress?

4. Describe in 2-3 sentences how freedom is usually lost? The Constitution can only protect our freedoms if what happens?

5. Describe two of the fundamental principles of the constitution that you think these presidential actions violate and explain how.