



Written by [Joe Wolverton, II, J.D.](#) on November 4, 2012

## Choosing Obama or Romney: Switching Deck Chairs on the Titanic?

When [asked on October 22 during the final presidential debate](#) what he thought about the use of drones, Mitt Romney responded:

Well I believe we should use any and all means necessary to take out people who pose a threat to us and our friends around the world. And it's widely reported that drones are being used in drone strikes, and I support that and entirely, and feel the president was right to up the usage of that technology, and believe that we should continue to use it, to continue to go after the people that represent a threat to this nation and to our friends.



It could not be put much plainer: If Republican candidate Mitt Romney becomes president, the United States will continue spreading democracy to the Middle East one Hellfire missile at a time.

Perhaps worse than Romney's express commitment to carry on disregarding due process by blowing up those he deems "threats," is the fact that, as with the current occupant of the White House, critical terms such as "threat" will go undefined. By keeping the legislative lines blurry a greater number of targets can be absorbed by the steady creep of a growing grey area.

There are so many problems with this policy and this attitude. First and foremost as pertains to the president's constitutional authority is Romney's presumption of the president's right to act as judge, jury, and executioner of anyone at anytime. This is a fatal misconception — one of many — that he shares with President Obama.

Regardless of who sits in the Oval Office, when the judicial and executive powers of government are consolidated and restraints on the exercise of power are cast aside, it can be expected — based on both our knowledge of history and the nature of man — that power will be abused and no one's rights or life will be safe from elimination by despots.

Writing in *Reason* magazine on October 31, [Jacob Sullum expertly identified](#) the core constitutional issue:

Romney has no qualms about trusting one man with the power to order the summary execution of anyone, anywhere in the world, whom he deems "a threat to us." This bipartisan disregard for civil liberties is the rule rather than the exception for the two major presidential candidates, who are about equally bad when it comes to respecting constitutional rights, although in somewhat different ways.

Another example cited by Sullum is the similar views of the two major-party presidential candidates on the "War on Terror," specifically the operation of one of the most notorious American monuments to



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torture and to disdain of the Constitution: Guantanamo Bay.

Despite President Obama's inaugural promise to shutter the prison at Guantanamo Bay, Cuba, the irrefutable fact is that it is still up and running. Witnesses of the shame we all share as Americans are manifold. Take [this story from WBUR.org](#) regarding the perpetuation of that damnable detention facility:

There are 166 detainees still being held on Guantanamo Bay, after two men left the detention center late last month. One was Omar Khadr, who was 15 when he killed an American serviceman in Afghanistan in 2002. He was sent to Gitmo soon after, becoming the youngest detainee there. Khadr, a Canadian citizen, pleaded guilty to war crimes in 2010 and last month was released to a Canadian prison. He [could soon be eligible for parole](#).

Also gone from Guantanamo is Adnan Latif, by most accounts a mentally unstable young Yemeni and one of the first prisoners at the detention facility. It's thought he committed suicide [in September].

"That's the way people get out of Guantanamo these days[;] occasionally someone gets released after pleading guilty, but generally the way to leave is if you've died," *Miami Herald* reporter Carol Rosenberg told *Here & Now's* Robin Young.

Regrettably, during his failed 2008 presidential campaign, [Mitt Romney promised to keep Obama's broken promise broken](#) and leave the lights on at Guantanamo. In fact, he would like to build on new wings to accommodate expansion of the "enhanced interrogation" for which the facility is (in)famous.

Said Romney:

Now we're going to — you said the person's going to be in Guantanamo. I'm glad they're at Guantanamo. I don't want them on our soil. I want them on Guantanamo, where they don't get the access to lawyers they get when they're on our soil. I don't want them in our prisons. I want them there.

Some people have said, we ought to close Guantanamo. My view is, we ought to double Guantanamo.

Any constitutionalist considering voting for Romney should read that again. Mitt Romney wants to deny "terrorists" (again, not a word he's able or willing to define) access to lawyers.

Contrary to Governor Romney's rhetoric, there is something called the [Sixth Amendment](#) that guarantees to everyone the right to "to have the assistance of counsel for his defense."

Why does Mitt Romney seems so anxious to continue along the path toward tyranny pioneered by so many courts, congresses, and presidents of the past?

And what of the indefinite detention of Americans codified as part of the National Defense Authorization Act (NDAA)?

On December 31, 2011 Barack Obama signed this unconstitutional blanket arrest warrant into law. As has been widely reported (in all but the mainstream media), provisions of this measure permit the president to order the U.S. military to apprehend and indefinitely detain an American citizen believed to be working with those who threaten the safety of the homeland. There will be no charge, no trial, no habeas corpus, and no end to the imprisonment.

Where is Governor Romney on this fundamental issue of freedom? Exactly where he seems to be so



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often: right in line with President Obama.

During the [presidential debate on January 17, 2012](#) in Myrtle Beach, South Carolina, Mitt Romney was asked if he “would have signed the National Defense Act as written?” Romney answered, “Yes, I would have. And I do believe that it is appropriate to have in our nation the capacity to detain people who are threats to this country....”

Once again, the candidates from the two major parties seem united in their zeal to defy the Constitution and consolidate all power into the hands of one man — the president of the United States.

The reason for calling out the hypocrisy of both these candidates is to demonstrate how worthless partisanship is in the quest to restore our constitutional Republic. We are in desperate need of men and women devoted to tirelessly pressing the point of limited government and individual liberty at every opportunity. Citizens untethered from the canned scripts written by the power brokers will be free to promote the Constitution without fear of being banished from the empire of party allegiance, left alone in the hinterlands of “extremism.”

The devotion to furthering the cause of constitutional liberty must be complete and evangelical. With nearly religious zeal, constitutionalists must preach the good news of republicanism (with a small r) from every pulpit of public opinion made available to them. And, as with any good confessor of the faith, constitutionalists must carry a dog-eared copy of the sacred text (meaning no sacrilege to the word of God) on them at all times.

In the early days of the Roman Republic, there lived a man named Gaius Marcius Coriolanus. In his *Lives*, Plutarch tells the story of this man and his public career that swayed from savior and hero to rebel and outcast of the Eternal City. The Senate of Rome, wishing to distract the attention of the common folk away from the banishment of their hero, Coriolanus, and quell the riots that were flaring up throughout the capital, decided to call for the performance of religious ceremonies and a procession of priests parading through the streets in honor of the local gods.

At the head of the concourse, the senators and their accomplices would send a herald out front of the procession calling in a loud voice, “*Hoc age!*” The meaning of that phrase is “Do This,” a message to the masses to concentrate and apply their minds entirely to demonstrating their heed and devotion to the religious ceremony which they were gathered to witness. The magistrates and ministers knew that “men as a rule only attend to such matters by putting a certain constraint on their thoughts.”

Hoc age! Do This! This should be the motto of modern constitutionalists. We must be single-minded in our dedication to broadcasting the principles of freedom and limited government as enshrined in our founding charter. We must make a sober and sustained study of the words of our Founders and the men who inspired them one of our highest priorities.

We must turn from participating in the pre-programmed domination of the major party duopoly. Adhering to the talking points will only dilute the cleansing power of the message: We, the People, are ready to retrench and restore the Constitution to its rightful place in the law and the loyalty of our elected leaders.

The restoration of the timeless constitutional principles of due process, separation of powers, and limited government must be our only object. We, as our noble Roman forbears, must discipline ourselves and focus our energy on the unwavering demand that our government be reduced in size and scope to within the very bright boundaries laid out in the Constitution.



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On Election Day, remember the Constitution and: Hoc age!

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