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“We have to pass the bill so you can find out what is in it, away from the fog of controversy,” said then Speaker of the House Nancy Pelosi to her Democratic members before the passage of the Affordable Care Act. Tuesday, justices of the United States Supreme Court asked pointed questions to lift the “fog” and show us what ObamaCare is really all about.

In politics it’s easy for demagogues to dismiss reasonable objections. “Are you serious, are you serious?” asked a puzzled Pelosi of the single reporter who inquired if it was constitutional for Congress to confiscate one-sixth of the U.S. economy and force 350 million Americans to buy inadequate health insurance under penalty of law.

At its essence, law is the practical application of political philosophy. Nancy simply dismissed the whole idea that ObamaCare should be explained to her congressional caucus, the press or the few sentient Americans jealous of their liberties.

With so few interested in freedom, it fell to the high court’s conservative justices to ask the tough questions. “Can you create commerce in order to regulate it?” asked Justice Anthony Kennedy.

“We’re not seeking to defend the law on that basis,” answered ObamaCare’s government defender, Solicitor General Donald Verilli Jr.

“So, if I’m in any market at all, failure to purchase something in that market subjects me to regulation?” Asked Justice Antonin Scalia.

“No, that’s not our position at all Justice Scalia,” answered Verilli.

It took the court’s most liberal justice to unmask ObamaCare’s individual mandate for the totalitarian monstrosity that it is. “This penalty is designed to affect conduct. The conduct is to buy health protection, buy health insurance before you have a need for medical care. That’s what the penalty is designed to do, not raise revenue,” insisted Justice Ruth Bader Ginsberg.

“What matters is what power Congress is exercising, and I think it’s clear that they were exercising the tax power ... but their purpose is not to raise revenue, their purpose is to discourage behavior,” admitted Verilli.

The philosophy that forms the foundation of modern Progressive thought is as old as time itself: government exists to affect the conduct of its subject peoples ... you and me. Possessing all the wisdom of the ages, they seek to affect our behavior, to mold us into more perfect beings – they are the new creators, we are the new creation.

Under this ancient understanding, the pantheon of gods has no limitations. The Constitution, which grew from the Declaration’s foundational belief that “all men are created equal and endowed by their creator with certain unalienable rights,” is too radical and modern a concept to be taken seriously. For Progressives, liberty is a sword best beaten into government-regulated plowshares.

Justice Kennedy, the swing vote on the high court, indicated he would declare ObamaCare’s dictatorial mandate unconstitutional. “I understand that we must presume laws are constitutional,” said Kennedy, “but even so, when you are

changing the relation of the individual to the government in what we can stipulate is, I think, a unique way, do you not have a heavy burden of justification to show authorization under the Constitution?"

"... All this minimum coverage provision [individual mandate] does is say that instead of requiring insurance at the point of sale, that Congress has the authority, under the Commerce power and the Necessary and Proper power, to insure that people have insurance in advance of the point of sale because of the unique nature of this market." In other words, health-care is deemed by the gods to be "unique" above all markets (produce, automobile or telecommunications). That so-called uniqueness grants Congress authority to trample America's most precious and unique commodity ... individual liberty.

That liberty was once considered "self-evident" and not shrouded beneath the fog of controversy. This attempt to undo American freedom hides under thousands of pages of unread legislation and is anchored at the tip of a punitive lash designed to affect the behavior of slaves.

Thanks to the high court's slim conservative majority, the fog of concealed tyranny will lift this June. It falls to us to finish the job in November.

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