



Did 'Obamacare' Opponents Land Knockout Punch?

By Paul Strand

CBN News Washington Sr. Correspondent

Thursday, March 29, 2012

WASHINGTON - Wednesday marked the third and final day of oral arguments at the U.S. Supreme Court for supporters and opponents of President Barack Obama's health care law.

The 26 states suing the government argued that if the individual mandate that requires all Americans to buy health insurance is ruled unconstitutional, then the entire legislation must be scrapped.

After three days of hearings, opponents seemed much more relaxed, as the possibility of the Supreme Court throwing out the massive health care reform law brightened.

"The court risks grave damage if it strikes down a statute of this magnitude and importance, and stretches so dramatically and drastically to do it," Sen. Richard Blumenthal, D-Conn., warned.

But Georgetown Law Professor Randy Barnett, who represented one of the parties suing over the law, said the legislation's individual mandate is incredibly dangerous.

"The whole point of putting government between us and our doctors really changes the American people," he explained.

"And as Justice Kennedy said, it would basically change the fundamental relationship of the people to the American government," he said.

Beth Milito, senior executive counsel with the [National Federation of Independent Businesses](#), one of the leading plaintiffs in the case,

speculated on "Obamacare's" chances of survival on the CBN News Channel's Morning News, March 29.

"So I think it would actually save the United States of America," Barnett added.

Judicial Crisis Network lawyer Carrie Severino said Justice Antonin Scalia and likely swing vote, Justice Anthony Kennedy, are ready to kill the entire law.

"And they even said, 'Look, are we going to go through 2,700 pages of this law and pick and choose what parts of things are going to come and stay or go? That's too challenging to do,'" she said.

"As Justice Scalia said, if you take out the guts of the law, not just some tangential thing, if you take out the guts of the law, the rest of it has to fall," added Ilya Shapiro, the main court water at the Cato Institute.

Massachusetts Democrat Sen. John Kerry said he can't believe the justices would shoot down the law.

Texas Attorney General Greg Abbott talked more about the health care reform legislation and why so many feel it should be deemed unconstitutional.

"They will decide they don't want to go back to a nation where you get cancer and you get a letter from your insurance company (that said) you're no longer covered," Kerry said.

Deciding the constitutionality of the individual mandate makes this case one of the most important in the court's history.