

Grassroot Perspective: Judgments vs. Judgment, Fast Track to Debt, and More

By Malia Hill

Quote of the Week:

“A taxpayer is someone who works for the federal government but doesn't have to take a civil-service exam” — Ronald Reagan

Each week, we'll be monitoring the web to find the most interesting, challenging, or important items for those who are concerned about liberty, accountability, and big government. Here are some of the highlights from the past week:

Judgments vs. Good Judgment

It shouldn't be surprising that this was a week dominated by reaction to last week's Supreme Court decision upholding Obamacare. In some circles on the Right, there was a profound feeling of disappointment, even betrayal, in the fact that Chief Justice Roberts joined the liberal wing of the Court in upholding the individual mandate as a tax. However, we must be careful not to fall into the trap that liberals have in the past few decades—in viewing the Court as the “reset” button on legislation that we lacked the stomach or strategy to fight properly. The fault, dear reader, is not in our Justices (or in our stars), but in the people we choose to elect to office.

[As Michael Tanner of the Cato Institute points out](#), “Constitutionality” is not a synonym for “wisdom”, and it is not the role of the Court to decide whether the law is a good one or not—just whether it is permissible under the Constitution. And the fact that the Court ignored the Administration's semantic tax/penalty spin job merely means that the Justices (very reasonably) decided that statements of political salesmanship are irrelevant to Constitutional analysis—actually a step in the right direction for strict constructionists who abhor judicial hunts for legislative intent. In fact, for a decision that can be scored as a “win” for Obama, there certainly was a silver lining. [As Clark Judge notes](#), many are wondering whether this decision will become the landmark case that steers the Court back out of the arena of policy-making and back into a more traditional role. If that's so, then those who have been excoriating Justice Roberts may end up doing a little backtracking.

Constitutional? Apparently. Financially Viable? Um . . .

Lost in all the discussion about the constitutionality of the individual mandate is another, extremely significant dimension of the Obamacare decision. The Court decided (and by a 7-2 majority) that the federal government cannot force states to expand their Medicaid coverage by threatening to withhold all Medicaid funding. Yes, this is a victory for federalism and an inherent limit to the “power of the purse” that Congress likes to wield to coerce states into various actions. But, [as Charles Blahous of the Mercatus Center explains](#), in one stroke, that decision may have made the law's finances untenable. Sure, it is generally only the law's most fervent supporters who don't secretly suspect that Obamacare is destined to become an economic anchor around our collective necks, but (on paper at least), the penalty/tax of the

individual mandate and the Medicaid provisions were going to guarantee that the law was financially viable. Now, the limitations of the Court decision have thrown even the Congressional Budget Office's optimistic assessments into question.

Fast Track to Debt

Want another lesson in the importance of thinking and properly analyzing a plan for public transit before it drags your municipality into a crushing cycle of debt? Well, since the Honolulu Rail is still progressing despite serious questions and criticism, clearly we do. [So why not take a lesson from the “essentially bankrupt” transit system in Boston?](#) If only there was a comparison checklist we could reference—something like: “project pushed through by politicians who would be gone long before the problems surfaced” (check); “project initiated on questionable financing numbers without clear notion of how to pay for it?” (check); “transit system that cannot pay for itself but drags the city further into debt?” (can't check this one off yet, but it's only a matter of time); “supposed environmental benefit illusory or non-existent?” (pen poised ready to check this one off too). Hopefully, in the case of Honolulu Rail, we can actually try to learn from example instead of having to absorb this lesson the hard way.

If Only It Was Just Big Bird

There is, I suppose, some benefit in being a niche network—especially one paid for by tax dollars rather than by proving that there are enough people watching to make it commercially viable. And maybe PBS likes it that way. Because, as far as those of us who only watch public television under duress (or to catch *Downton Abbey*) know, PBS is just about Big Bird and British dramas where people wear fussy clothes and exchange civilized barbs over tea. So any time that someone tries to cut funding to PBS, its defenders can invoke Sesame Street and classy British people, and the rest of us nod and lose interest. However, [as this report from Accuracy in Media points out](#), those tax dollars that you think are going to create more Elmo skits are actually being used in part to create extremely biased educational materials. For your kids. Yes, we're actually paying to indoctrinate our own children in political positions that we may actively oppose. And all because we didn't look too closely into what we assumed was an Oscar the Grouch fund.

Which –Ist is He?

Boy, do we love to throw around our –ists. Maybe it's just my Facebook feed, but if the day goes by and no one gets called a fascist or a socialist, it's almost like the sun didn't come up that morning. If only more of those people understood what on earth they were saying and why it is actually important. And that's why I enjoyed this [article from the Howard Rich](#) examining whether it is more accurate to call the President a socialist or a fascist. Because if we're going to get into the –ist classifications, it's a lot more fun if you add a bit of political history and analysis to your point.

Views expressed in this column are intended to promote creative thought, educate, and, we hope, prompt comment. Accordingly, thoughts expressed do not necessarily reflect the official position of Grassroot Institute of Hawaii or the author.

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