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THE JOHN LOCKE FOUNDATION'S STATEWIDE ISSUES BLOG

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CAROLINA JOURNAL ONLINE  
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Re: Court to hear Obamacare case

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Posted on November 14, 2011 at 12:21 pm, by George Leef

Cato Institute's Ilya Shapiro has an excellent comment on the Court's decision to hear the case here. Shapiro says that the case is bigger than *Roe v. Wade* and no doubt it is. If the decision goes in favor of the regime (er, the administration), then it's impossible to see how anything is left of federalism and how the Constitution puts any restraints on what Congress can do to us in the name of "regulating commerce among the states." On the other hand, a strong decision against Obamacare could revitalize constitutional limits on governmental power that have been ignored (thanks to the "living Constitution" theorists who dislike the idea of putting limits on that power) since the New Deal.