



## ***Obamacare Could Make Contracts Unenforceable***

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*March 31, 2012*

If the Supreme Court upholds Obamacare, in particular the individual mandate, then contracts—which have always meant an agreement that two parties enter into voluntarily—could turn into 'agreements' that the government forces upon an unwilling populace. Indeed, that is what the individual mandate is. The decision to buy health insurance (really, the decision to buy any product) is always voluntary.

The Cato Institute's Jim Powell makes this exact point [in a recent article](#):

In ancient Egypt, the pharaohs' most hated tax was the *corvée* — forced labor that had to be provided on demand for, among other things, quarrying stone and building pyramids. The Egyptian *corvée* wasn't abolished until 1889. Meanwhile, it existed in ancient Rome, China and Japan. In medieval Europe, the *corvée* became a feudal obligation for peasants, and many worked without pay on a king's roads. In France during the 18th century, the *corvée* inflamed grievances against Louis XVI, contributing to the French Revolution.

After the U.S. Civil War, many blacks didn't want to work for former masters who had tormented them. But The Union army, occupying the South, pressured former slaves to sign annual contracts with plantation owners, and blacks were forbidden to leave plantations without the owners' permission — the same policy as under slavery. Blacks found to be loitering, changing jobs or riding the rails were arrested as vagrants, then forced to perform unpaid labor. How could the Union, that had abolished slavery, do this to blacks? Historian Eric Foner said that “As Northern investors understood the term, ‘free labor’ meant working for wages on plantations, but to blacks it meant farming their own land.”

During the 1930s, Nazis began barring Jews from professions and ordering Germans not to do business with Jews. By December 1938, there were substantial numbers of unemployed Jews, and the regime issued a decree that ordered these people to register for

forced labor. The hardest, most disgusting tasks were reserved from them, like road work, rubbish removal, toilet cleaning and sewage plants.

The Soviet Union condemned tens of millions of people to forced labor in their vast gulag. Probably the most brutal working conditions were in the frozen Kolyma River gold mining region, the Russian Far East, where the average annual death rate was about 30 percent.

So, there's plenty of experience to suggest that if the Obamacare mandate is upheld, we could find ourselves entering a strange new world where the word "contract" — traditionally meaning mutual agreement — comes to signify all sorts of things people don't want to do.

Powell runs through a long list of abuses of power and human rights travesties, all of which came about as the result of government force. It's too bad that supporters of the mandate aren't keeping points like these in mind. A mandate might seem like a good idea to them, but once the government starts requiring that we enter into contracts that we don't want, it opens up Pandora's Box. This has happened throughout history, and leads to some really awful outcomes.