

Of the ACA, Feckless Jurists and Stupidity

SHAKING “THE VERY FOUNDATIONS” OF HEALTHCARE

by [Joseph DeMaio](#), ©2017



(Jul. 8, 2017) — In a prior [post](#), your faithful servant noted that if hypocrisy did not already exist, a liberal (and thus, most Democrats, media moguls and university professors) would invent it at breakfast merely to survive until lunch. Lamentably, a parallel exists with regard to those Republicans in the Senate now announcing that they are not prepared to support the repeal – let alone replacement – of the comically-labeled “Affordable Care Act” (“ACA”). By analogy, if the term “feckless” did not already exist, these Republicans would invent it at lunch just to survive until the next evening fund-raiser at [The Willard](#).

When the ACA was crammed up the collective nostrils of all Americans, it took place completely – as in 100% – at the hands of the “we-need-to-pass-it-first-to-find-out-what’s-in-it” Democrats. Not a single GOP Senator or Representative supported this smoldering piece of an excuse for lawful legislation. Yet now, many Republicans who refused to vote for the ACA are now backing down on its repeal because, well, they actually *like* some of its features, as do some of their constituents. So what if the law is bad: if the voters like it, how can it be opposed?

Really?

To use the term “smoldering” when describing the ACA understates the matter. The fact is that a majority of the United States Supreme Court, led by Chief Justice John (“The Feckless One”) Roberts, found that the law could be upheld on the (let us be polite here...) goofy basis that the word “penalty” as specifically and unambiguously stated by Congress in the law – eighteen (18) separate times – in the “individual mandate” portion... actually meant “tax.” Roberts simply read the English word “penalty” to be “tax” and, *voilà*: the Usurper-in-Chief’s signature legislation is saved!

Seriously, that was one of the central bases upon which CJ Feckless Roberts opined that the law passed constitutional muster. Clearly, Associate Feckless Justices Ginsberg, Souter, Sotomayor and Kagan would not have been expected to rule otherwise, since their tendencies to adopt a “living, breathing and evolving” view of the Constitution were already well-known. Besides, what is more important: the rule of law or the Usurper-in-Chief’s legacy?

But Roberts? Yikes. All one needs to know about how unprincipled, goofy and constitutionally-dangerous the Court’s decision upholding the ACA actually is can be gleaned from the dissent authored by Justice Antonin Scalia. Let me make this easy: here is the decision, and Scalia’s dissent starts on [p. 127](#) of the .pdf scan. People wishing to become informed on the issue should *read it* instead of reading *about* it in the vibrant canary pages of the Gray Trollop.



For those out there complaining that this is just beating a dead horse, recall that the ACA was signed into law by a usurper. Read carefully pages 190-191 of the .pdf scan of the Scalia dissent, for it precisely captures the intentional treachery designed by its chief architect, Jonathan Gruber, to be foisted upon “[stupid Americans](#).”

The dissent also predicts, with uncanny accuracy, the catastrophic fiscal perils of the law which are now, like a malignant cancer, eating away at not only otherwise *affordable* healthcare, but the very foundations of healthcare *itself* in the United States. If you doubt it, just check out how many physicians are leaving the [practice of medicine](#).

Moreover, recall that the ACA was not voted into law by a “stupid” electorate. Instead, it was crammed through the Congress by... let us paraphrase Jonathan Gruber’s own words: “stupid congressional Democrats.” Recall as well that the ACA was signed into law by... once again, let us paraphrase together: “a stupid usurper.”

So, at the “end of the day,” if those few Republicans who have sipped the vile fluid of the ACA and found it to be not so bad – one’s first taste of cognac is usually not so good – succeed in preventing the repeal of a law, to paraphrase Justice Scalia, “not written by the Congress, but a law rewritten by a majority of the Supreme Court,” it will be as if they had joined with their Democrat colleagues Harry Reid and Nancy Pelosi in voting for the ACA in the first place.

Now *that* will be stupid.