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11th Circuit Rules Obamacare Mandate Unconstitutional

Welcome to the Health Freedom Minute. This is Twila Brase, president of Citizens’ Council for Health Freedom.

Ten days ago, the 11th Circuit Court of Appeals said the Obamacare requirement that individuals buy health insurance or pay a penalty is unconstitutional.

The Administration had argued that the mandate is constitutional under the Commerce clause of the U.S. Constitution. However the two judges who wrote the majority opinion said, “The Federal Government’s assertion of power, under the Commerce Clause…is unprecedented…and imperils our federalist structure.”

The Administration claimed Obamacare was immunized from constitutional inquiry because Congress called the law “essential.” But the judges disagreed saying such protection would “eviscerate the Constitution’s enumeration of powers and vest Congress with a general police power.”

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