

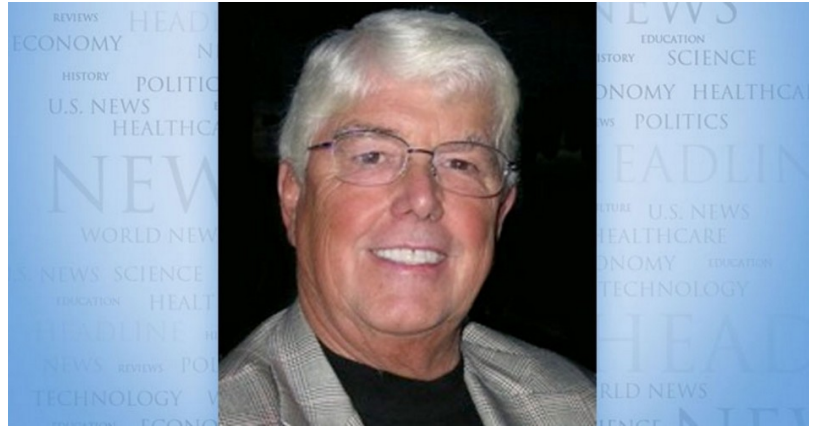


Written by [Wallis W. Wood](#) on March 28, 2014

A Democrat Is Double-Crossed by Obama — and We Get ObamaCare

So the Democratic Congressman who helped get the Affordable Care Act (otherwise known as the monstrosity called ObamaCare) shoved down our throats in 2010 now says he was double-crossed by the Barack Obama administration. Are we supposed to be surprised?

Four years ago, Bart Stupak was a member of Congress from Michigan who served as the leader of a group of anti-abortion Democrats. In an [op-ed in USA Today two weeks ago, he told a very revealing story:](#)



During the battle over the ACA's passage, pro-life Democratic members of Congress negotiated with the President to ensure that the Act would not be employed to promote abortion. During the final debate on the Affordable Care Act, I engaged in a colloquy with Chairman Henry Waxman reaffirming that Americans would not be required to pay for abortions or violate their conscience by participating in or promoting a procedure they find morally objectionable.

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Stupak says he and his colleagues got exactly what they requested: "In response, we received an ironclad commitment that our conscience would remain free and our principles would be honored."

Of course, that is not what happened. Thanks to the support of Stupak and his colleagues, every Democrat in Congress voted for passage of the Affordable Care Act — even though none of them had actually read the thing. You'll remember that then-House Speaker Nancy Pelosi said they had to pass the measure to find out what was in it.

Well, they did. And as a result, the Department of Health and Human Services, which was given the job of enforcing the new law, issued a mandate in 2012 requiring all health plans cover all Food and Drug Administration-approved contraceptives. Among the 20 different contraceptives that employers would be required to pay for were four drugs and devices that could terminate human life at its earliest stages.

Bart Stupak's *USA Today* column carried the headline, "Contraception Mandate Doublecross: Column." Welcome to Obama's world, Mr. Stupak.

It is that provision that led two companies to challenge the mandate. Hobby Lobby and Conestoga Wood Specialties claim that provisions of a 1993 law, the Religious Freedom Restoration Act, mean they should be exempt from this requirement.

Hobby Lobby is a family-owned chain of 560 arts-and-crafts stores. It was founded by David Green, who is an evangelical Christian who says, "I have deeply held convictions and I should not have to be required by the government to violate my conscience." Conestoga Wood Specialties is a cabinet maker owned by a Mennonite family. Both contend that four of the contraceptive measures that HHS has



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mandated — a morning after pill and certain intrauterine devices — promote abortions, which their faith prohibits them from providing.

The government, of course, disagrees. The case has made it before the Supreme Court, which heard oral arguments from both sides this past Tuesday. Solicitor General Donald Verrilli, arguing on behalf of the government, told the justices that because the two companies are for-profit businesses, they are not entitled to the same constitutional rights as a private individual.

This led to an amusing exchange between Verrilli and Justice Antonin Scalia. The Solicitor General told the court: “In the entire history of this country, there is not a single case in which a for-profit corporation was granted an exemption.”

Justice Scalia replied: “Not a single case in which it was denied exemption either. All you’re saying is that there are no cases.”

It’s always dangerous to try to parse how justices will vote on a case based on their questions and remarks at a public hearing. Chief Justice John G. Roberts Jr. seemed to be leaning in support of the plaintiffs when he observed that minority-owned businesses can bring racial discrimination lawsuits. So why can’t a Christian business (or a Muslim one, for that matter) base a policy on the religion of its owners?

But remember what happened when the original challenge to the constitutionality of the Affordable Care Act reached the Supreme Court in 2012. Many observers concluded that Roberts would vote against it, based on his remarks at the public hearings back then. So they were surprised (many even said they were shocked) when the chief justice voted to confirm the law — and used some very twisted logic to do so. Writing for the majority, Roberts said ObamaCare was constitutional because the mandate it imposed was a tax — this, despite the fact that Obama had spent the past two years emphatically denying that ObamaCare was a tax.

So we know the justices can twist and distort the Constitution to say almost anything they want. Heck, that’s what they’ve been doing for more than 60 years. So I won’t be surprised if they decide to drive another nail in the coffin of religious liberty when they issue their decision in this case. We’ll find out in June.

In the meantime, I’m glad to see former Congressman Stupak on the right side of the fence at least this once. He’s joined with Democrats for Life in filing a brief urging the Supreme Court to rule on behalf of Hobby Lobby and Conestoga Wood Cabinets.

But that doesn’t mean he’s seen the light about ObamaCare. In fact, in the op-ed piece I quoted above, he says he’s still convinced it’s a great idea. “As a member of Congress,” he wrote, “I was proud to vote for the Affordable Care Act.” And he continued: “No, I haven’t changed my position. I continue to believe the Affordable Care Act is critical to reforming our health care markets and providing a critical safety net for millions.”

I guess we should thank him for taking one tiny step in the right direction — and hope that at least five justices on the U.S. Supreme Court agree with him in June.

Until next time, keep some powder dry.

Chip Wood was the first news editor of *The Review of the News* and also wrote for *American Opinion*, our two predecessor publications. He is now the geopolitical editor of *Personal Liberty Digest*, where



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