



Written by [Selwyn Duke](#) on September 20, 2013

Americans' Pre-existing Condition of Childishness

"Because!" This was a common childhood justification. A kid wouldn't be able to provide a good reason for his little agenda, but, well, children want what they want. So he just might say, "Because!"

One sign of having truly reached emotional adulthood is the ability to accept life's harsh realities, yet many positions people take today amount to little more than a stamping-of-the-foot "Because!"



A good example concerns medical coverage and "pre-existing conditions." I've actually heard people say things such as, "Insurance companies have their pre-existing-condition policies only because they don't want to pay for things." Well, yes. And?

Now, what if I said the following to such a person: If paying for someone's pre-existing medical problem is such a moral imperative, why don't you foot the bill? The individual just might reply that he's not in that business.

Neither are insurance companies.

To illustrate the point, imagine you have a concern offering fire insurance, and I call you and say, "My house is on fire; I want you to cover my damages." After wondering if I was mentally unhinged, you'd no doubt say that the time to purchase fire insurance was years ago, that it's too late once flames billow from window and door. But why?

It's just a pre-existing condition.

Understand the business and purpose of insurance. Insurance companies aren't charities; they don't offer coverage because they care about people's health any more than McDonald's started making hamburgers to alleviate hunger. Rather, a company knows that if it offers insurance to many thousands of healthy people, most won't get severely ill. So while it will lose on the small percentage who do, overall it can make money. In return, the customer knows that if some catastrophic illness befalls him, medical care he couldn't afford himself will be covered. It's a symbiotic relationship.

But forcing companies to cover pre-existing conditions turns this into a one-way relationship, where the customer can simply say, "I'm sick — pay my bills." Support that if you like, but it's not insurance.

It's called a handout.

Worse still, it's contrary to the spirit of charity because there's a disconnect between the entity that directly decides the aid will be given (government) and that which directly gives that aid (insurance companies). But the true burden and responsibility don't become clear until you consider the indirect players and payers. The people who supported the politicians who visited ObamaCare upon us bear responsibility for it — even though many of them had no idea what they were voting for — and they and many others are paying for this electoral decision via higher insurance premiums. After all, the money for these handouts has to come from somewhere.

A more mature approach would be to recognize that the pre-existing-conditions argument is bunk, that



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what's being offered is a handout and then, if we still determine it should be given, institute state-government programs. I don't support this, mind you, but at least it's intellectually honest. As of now, it's not just that we seek to outsource our charity — we won't even recognize it is charity (or a perversion thereof).

And this brings us to an important point. It's understandable that people would want those suffering with a debilitating illness to receive treatment, and, to this end, funding private charities would be a noble endeavor. But whatever remedy we pursue, it shouldn't be built upon self-delusion about the natures of insurance and handouts in order to avoid coming to terms with what, deep down, we may feel is an emotionally unacceptable dilemma.

Another situation reflecting "Because!" reasoning was the case of Casey Martin versus the Professional Golfers' Association (PGA) Tour. Born with a debilitating birth defect in his right leg that makes walking difficult, Martin sued the PGA Tour in 2001 for the "right" to use a golf cart at its events (the tour has a no-cart rule), citing the Americans with Disabilities Act. The case eventually wound up in the Supreme Court, and what ensued was a testimonial to judicial arrogance.

Testifying for the PGA Tour was Jack Nicklaus, arguably the greatest golfer of all time; and Arnold Palmer, dubbed the "King" for his role in popularizing the game. Both said that walking was integral to the sport, and they were joined in this assessment by Tiger Woods, who it's rumored can play a bit himself. Yet black-robed oligarchs such as shriveled Ruth Bader Ginsburg — whose golf knowledge and skill bring to mind the Honeymooners' Ed Norton and "Hello, ball!" (video [here](#) — it's worth watching) — found that walking wasn't essential to golf and ruled in Martin's favor. Wow, it must be nice being an expert in the area of Everything.

A few things, besides seven justices' minds, were lost in the compassion fest. First, as Antonin Scalia pointed out in a dissent joined by Clarence Thomas, all rules in sport are arbitrary (e.g., why are two serves allowed in tennis and not one or three?). But whatever rules are established, there is a principle here far from arbitrary: Things are only fair for all if the rules are applied equally.

In the case of golf, consider that PGA competitors have to walk four miles a day for four days, sometimes in 90-degree heat and 90-percent humidity. Can we honestly say having a cart isn't an advantage? Of course, a district court had ruled that the fatigue Martin would suffer even with a cart would be greater than fatigue healthy players endure without one. But how can the judges know this? And what about golfers who claim to have back problems or other issues exacerbated by walking? Only God could properly assess these things, and He isn't weighing in.

In reality, nothing I've explained in this article is that hard to figure out. Yet most people would still disagree with me on pre-existing conditions and the Martin case. Why? Well, when a position is emotionally appealing, people are often uninterested in seeking the truth and, consequently, don't examine the matter from all angles; they also then will rationalize the truth away when confronted with it. Martin was a nice young man with a cross to bear and a dream, and that's good enough. Of course, our adult arguments may be wrapped in legal parlance or pabulum masquerading as political philosophy, but in the final analysis they boil down to that childish one-word justification. And while refutation is easy, disabusal is difficult. Because it's hard arguing with "Because!"

But as the disaster that is ObamaCare proves, it's also impossible to avoid because's consequences. As the saying goes, "Life is the best teacher."



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