

Combative Obama warns Supreme Court on health law

2 April 2012, by Stephen Collinson

US President Barack Obama on Monday challenged the "unelected" Supreme Court not to take the "extraordinary" and "unprecedented" step of overturning his landmark health reform law.

Though Obama said he was confident the court would uphold the law, the centerpiece of his political legacy, he appeared to be previewing campaign trail arguments should the nine justices strike the legislation down.

In a highly combative salvo, Obama also staunchly defended the anchor of the law -- a requirement that all Americans buy health insurance -- as key to giving millions of people access to treatment for the first time.

"Ultimately, I am confident that the Supreme Court will not take what would be an unprecedented, extraordinary step of overturning a law that was passed by a strong majority of a democratically elected Congress," Obama said.

Pointed comments from Supreme Court justices last week during three days of compelling hearings have convinced many commentators that the court, expected to rule in June, will declare the law, dubbed ObamaCare, unconstitutional.

Such a move would electrify the White House race, puncture Obama's claims to be a reformer in the grand political tradition, and throw the US health care industry into chaos.

Obama noted that for years, conservatives had been arguing that the "unelected" Supreme Court should not adopt an activist approach by making rather than interpreting law, and held up the health legislation as an example.

"I am pretty confident that this court will recognize that and not take that step," Obama said during a press conference in the White House Rose Garden with the leaders of Canada and Mexico in his first

comments on last week's hearings.

Obama's comments will be seen as a warning shot to the court, one of the three branches of the US government, and could draw complaints from critics that he is trying to influence the deliberations.

The health care case is the most closely watched Supreme Court deliberation since a divided bench handed the 2000 presidential election to George W. Bush over Al Gore, and could have far reaching political implications.

Obama also argued there was a "human element" to the health care battle, as well as legal and political dimensions.

He said that without the law, passed after a fierce battle with Republicans in 2010, several million children would not have health care, and millions more adults with pre-existing conditions would also be deprived of treatment.

Opponents of the health care law argue that the government has overreached its powers by requiring all Americans to purchase health insurance.

But supporters say that the government is within its rights to regulate the health industry as it has the power to oversee commerce across state borders.

Without the mandate, they say, the costs of insuring an extra 32 million Americans would be prohibitive to the private health insurance industry.

The Affordable Care Act is highly polarizing in US politics as the election approaches and Obama is yet to get a political dividend for the huge expenditure of political capital required to pass the legislation.

If the court upholds the law, and he wins reelection in November, the legislation will likely stand for

years, as it will be fully implemented by 2014, two years before his second term draws to a close.

But Republicans running to replace him in the November 6 election have all vowed to repeal ObamaCare.

"I think it's important... to remind people that this is not an abstract argument," Obama said.

"The law that's already in place has already given 2.5 million young people health care that wouldn't otherwise have it.

"There are tens of thousands of adults with preexisting conditions who have health care right now because of this law."

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