

11th Circuit Court Rules ObamaCare Unconstitutional

The 11th Circuit Court of Appeals on Friday declared the individual mandate of ObamaCare, the provision making Americans purchase health insurance, unconstitutional.

The court, in a split decision, found that “the individual mandate contained in the Act exceeds Congress’s enumerated commerce power.”

The American Center for Law and Justice (ACLJ) applauds the decision. The ACLJ, which is actively challenging ObamaCare, focuses on constitutional law and is based in Washington, D.C.

“The appeals court got it right and the decision represents a critical step forward in undoing ObamaCare,” said Jay Sekulow, chief counsel of the ACLJ, which is involved in litigation challenging the mandate. “The individual mandate, which forces Americans to purchase health insurance, exceeds the authority of the Commerce Clause. We’re delighted that the appeals court recognized that fact.

“While the appeals court did not declare the entire law unconstitutional, by striking the individual mandate, the entire law is clearly in jeopardy. We remain hopeful that the Supreme Court will ultimately declare the entire health care law unconstitutional.”

Liberty Counsel, an international nonprofit litigation, education and policy organization, also supports the court’s decision.

“Today’s ruling striking down the individual mandate is welcome news,” Founder and Chairman of Liberty Counsel and Dean of Liberty University School of Law Mathew Staver said on Friday. “The federal government does not have the authority to

force individuals to purchase health insurance.

“ObamaCare represents the biggest government intrusion into the private lives of every American. The Court of Appeals should have thrown out ObamaCare in its entirety. Without the individual mandate, the law will cause the insurance industry to implode. With or without the mandate, ObamaCare has been a catastrophe.”

The ACLJ filed an amicus brief backing Florida’s position in the 11th circuit case representing 74 members of Congress and more than 70,000 Americans. The ACLJ is preparing for oral arguments in its own federal court challenge of ObamaCare.

It is scheduled to present arguments to a federal appeals court in Washington on Sept. 23, to urge the court to reinstate its lawsuit challenging the individual mandate. The ACLJ’s filing contends that the individual mandate violates the Commerce Clause, an argument it believes is grounded in the Constitution.

“There’s still a lot of active litigation to play out,” Sekulow said. “But [Friday]’s decision gives us even more hope that this troubling health care law ultimately will be put to rest.”