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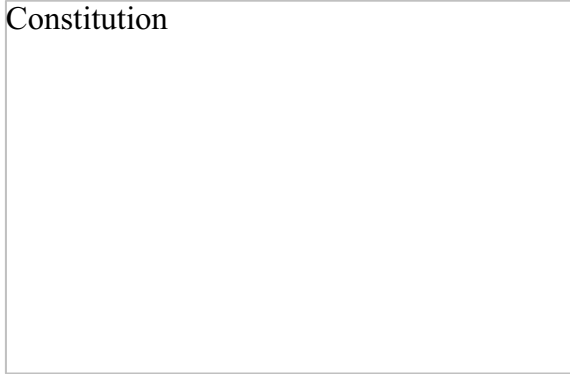


## The Roberts Trap Is Sprung

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by Larry Diffey , January 3, 2014

Constitution



by Shorty Dawkins

There is a [curious article](#) at the American Thinker website, written by Bill Dunne. The title of the article is: The Roberts Trap Is Sprung. In his article Dunne tries to make the case that Chief Justice Roberts, in his choice to agree with the liberal side of the Supreme Court to decide that Obamacare is Constitutional, because the “penalty” for not enrolling is actually a “tax”, was a premeditated decision to create a “trap” that would close on the Democrats once Obamacare took effect.

Whether the article is merely an attempt to bolster Roberts’ credentials as a conservative, by portraying Roberts’ vote as being diabolical, or whether Dunne actually believes this is the case, is unsure. In either event, Dunne is saying, indirectly, that decisions of the Supreme Court are decided on political basis. In effect, he is arguing, all decisions are political, and Roberts’ vote shows he is a master politician. He believes Roberts has out-manuevered the liberals.

My question, therefore, is: Should the Supreme Court be political in its decision making process?

Regrettably, there have been times when it is. The [Dred Scott decision](#), for instance, was blatantly political. Yet, was this the vision of the framers of our Constitution? Is this the vision we, the American people, have for our Constitution? Do we want politics to decide the fate of the Bill of Rights, for instance? I don’t think so. I think we want the Constitution to be decided as a matter of law. The Constitution is a compact, founded in Law, whereby the various States have ceded authority to the General Government concerning certain defined duties. It is, in effect, a Contract between parties. Politics has nothing to do with this contract. Just as a Contract means what it says, so does our Constitution. That one party of the Contract has extended its duties, or powers, is obvious to anyone who bothers to read the Constitution. How? By playing politics. Politics is the problem.

Bill Dunne has fallen into the trap laid out by those who seek to subvert our Constitution. He speaks of Chief Justice Roberts setting a “trap”. That is merely a political maneuver. It does not serve us well. It is the antithesis of the rule of law. It destroys the very foundation upon which this Nation’s Republic was founded.

In speaking of Chief Justice Roberts’ “trap”, Dunne would have us use politics to achieve what should be matters of Law. The Constitution, as written and agreed upon by the various States, is our true foundation. Let us seek to have it adhered to, not subverted by politics.

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