

American Government & Politics: A Christian Worldview.
Short Film: “Obamacare and the Tenth Amendment” (12–15 Minutes)

TEACHER INSTRUCTIONS

Goal

In this short (8:54) film, constitutional scholar Brion McClanahan discusses a then-recent (unconstitutional) law passed by Congress (“Obamacare”) and discusses Tenth-Amendment solutions.

Instructions

1. Play the short film above here: <https://www.youtube.com/watch?v=RiWM6POyxfk>, and tell students to take notes.
2. Have students in pairs/groups discuss for 3–5 minutes, and then discuss as a class.

Main Points

- Obamacare shouldn’t even be in front of the Supreme Court, because it’s unconstitutional.
- States working to undo/nullify it are properly acting within their powers.
- Massachusetts, New York, and Virginia only ratified the Constitution when a Bill of Rights was promised.
- Constitutional amendments are there to limit the U.S. government.
- The Tenth Amendment is the most important of all, because it limits the U.S. government the most.
- Opponents of the Constitution feared that the U.S. government would abuse its powers.
- Obamacare is clearly unconstitutional, since regulating health care and forcing individuals to buy health insurance is nowhere in the enumerated powers of the U.S. government.
- Saying that the “commerce clause” allows Obamacare is incorrect; that clause was intended to regulate foreign trade and to create a free trade zone among states (tariffs, etc.); Obamacare has nothing to do with either.
- States have the right to determine whether actions taken by the U.S. government are legal or not.
- It doesn’t matter if the Supreme Court says that Obamacare is legal or not (it did, arguing that it was a “tax,” and therefore legal); state legislatures should ignore it.

Debrief/Wrap-Up Questions

1. What did you think was the most important point that McClanahan tries to make? ***AWV, but probably that the Tenth Amendment is the most important one.***
2. What is your general reaction to the U.S. government deciding that it was constitutional to (a) get involved in health care, and (b) pass a law that forces individuals to purchase health insurance? ***AWV, but it’s grossly out of line with the U.S. Constitution, and exactly what the real Federalists said would happen if it were ratified.***