JOHN MARSHALL'S FASCIST JURISPRUDENCE

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As the Supreme Court ended a tumultuous week of oral arguments on Obamacare, all of the legal and political pundits are scurrying around like ants, reading and rereading every word of the justices, dissecting every syllable, every verbal inflection; trying in vain to read the tea leaves, to deduce how the court, or more pointedly how the court's swing justice, Anthony Kennedy, will decide the fate of the Obamacare mandate tax/penalty. Many political observers believe that Obama's second term hangs in the balance on how the court will rule on Obamacare – if yes, Obama gets a second term; if no, Obama descends into the abyss of irrelevance next to Andrew Johnson, Herbert Hoover and Jimmy Carter.

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