

# KUHNER: Impeach the president?

*The 'Slaughter Solution' would violate the Constitution*

[Jeffrey T. Kuhner](#)

The Democrats are assaulting the very pillars of our democracy. As the debate on Obamacare reaches the long, painful end, House Speaker Nancy Pelosi is confronting a political nightmare. She may not have the 216 votes necessary to pass the Senate's health care bill in the House.

Hence, Mrs. Pelosi and her congressional Democratic allies are seriously considering using a procedural ruse to circumvent the traditional constitutional process. Led by Rep. Louise M. Slaughter, New York Democrat and chairman of the House Rules Committee, the new plan - called the "Slaughter Solution" - is not to pass the Senate version on an up-or-down vote. Rather, it is to have the House "deem" that the legislation was passed and then have members vote directly on a series of "sidecar" amendments to fix the things it does not like.

This would enable House Democrats to avoid going on the record voting for provisions in the Senate bill - the "Cornhusker Kickback," the "Louisiana Purchase," the tax on high-cost so-called "Cadillac" insurance plans - that are reviled by the public or labor-union bosses. If the reconciliation fixes pass, the House can send the Senate bill to President Obama for his signature without ever having had a formal up-or-down vote on the underlying legislation.

Many Democrats could claim they opposed the Senate bill while allowing it to pass. This would be an unprecedented violation of our democratic norms and procedures, established since the inception of the republic. Article 1, Section 7 of the Constitution stipulates that for any bill to become a law, it must pass both the House of Representatives and the Senate. That is, not be "deemed" to have passed, but actually be voted on with the support of the required majority. The bill must contain the exact same language in both chambers - and in the version signed by the president - to

be a legitimate law. This is why the House and Senate have a conference committee to iron out differences of competing versions. This is Civics 101.

The Slaughter Solution is a dagger aimed at the heart of our system of checks and balances. It would enable the Democrats to establish an ominous precedent: The lawmaking process can be rigged to ensure the passage of any legislation without democratic accountability or even a congressional majority. It is the road to a soft tyranny. James Madison must be turning in his grave.

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Mr. Obama is imposing a leftist revolution. Since coming to office, he has behaved without any constitutional restraints. The power of the federal government has exploded. He has de facto nationalized key sectors of American life - the big banks, financial institutions, the automakers, large tracts of energy-rich land from Montana to New Mexico. His cap-and-trade proposal, along with a newly empowered Environmental Protection Agency, seeks to impose massive new taxes and regulations upon industry. It is a form of green socialism: Much of the economy would fall under a command-and-control bureaucratic corporatist state. Mr. Obama even wants the government to take over student loans.

Yet his primary goal has always been to gobble up the health care system. The most troubling aspect of the Obamacare debate, however, is not the measure's sweeping and radical aims - the transformation of one-sixth of the U.S. economy, crippling tax increases, higher premiums, state-sanctioned rationing, longer waiting lines, the erosion of the quality of medical care and the creation of a huge, permanent administrative bureaucracy. Rather, the most alarming aspect is the lengths to which the Democrats are willing to go to achieve their progressive, anti-capitalist agenda.

Obamacare is opposed by nearly two-thirds of the public, more than 60 percent of independents and almost all Republicans and conservatives. It has badly fractured the country, dangerously polarizing it along ideological and racial lines. Even a majority of Democrats in the House are deeply reluctant to support it.

Numerous states - from Idaho to Virginia to Texas - have said they will sue the federal government should Obamacare become law. They will declare themselves exempt from its provisions, tying up the legislation in the courts for years to come.

Mr. Obama is willing to devour his presidency, his party's congressional majority and - most disturbing - our democratic institutional safeguards to enact it. He is a reckless ideologue who is willing to sacrifice the country's stability in pursuit of a socialist utopia.

The Slaughter Solution is a poisoned chalice. By drinking from it, the Democrats would not only commit political suicide. They would guarantee that any bill signed by Mr. Obama is illegitimate, illegal and blatantly unconstitutional. It would be worse than a strategic blunder; it would be a crime - a moral crime against the American people and a direct abrogation of the Constitution and our very democracy.

It would open Mr. Obama, as well as key congressional leaders such as Mrs. Pelosi, to impeachment. The Slaughter Solution would replace the rule of law with arbitrary one-party rule. It violates the entire basis of our constitutional government - meeting the threshold of "high crimes and misdemeanors." If it's enacted, Republicans should campaign for the November elections not only on repealing Obamacare, but on removing Mr. Obama and his gang of leftist thugs from office.

It is time Americans drew a line in the sand. Mr. Obama crosses it at his peril.

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