



[Before court test, solid opposition to Obamacare](#)

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As the Supreme Court prepares to consider its constitutionality, more Americans favor outright repeal of the new national health care law than favor allowing it to remain in place, according to a [new Gallup poll](#).

Gallup's question was simple: "If you had to choose, do you think the healthcare law should be kept in place or should be repealed?" Forty-seven percent of respondents said it should be repealed, versus 42 percent who said it should be kept in place. Eleven percent had no opinion.

As expected, the poll revealed a deep partisan divide over the law, but it shows that there are more Democrats who would prefer to see the law repealed than there are Republicans who would like to see it remain in place. Among Democrats, 64 percent want to see the law stay, while 21 percent want it repealed and 15 percent have no opinion. Among Republicans, 10 percent want to see the law stay in place, while 80 percent want it repealed and nine percent have no opinion.

Among independent voters, 43 percent want to see the law stay in place, while a plurality, 48 percent, want to see it repealed. Nine percent have no opinion.

Gallup's new numbers come as a new report suggests that Obamacare will face another significant hurdle even if it is ruled constitutional and allowed to proceed. On the Wall Street Journal editorial page, conservative writers Jonathan Adler and Michael Cannon [point out](#) a flaw buried deep inside the law that could prevent its implementation. The law "encourages states to create health-insurance exchanges, but permits Washington to create them if states decline," the authors write. "So far, only 17 states have passed legislation to create an exchange." The problem is, the law also depends on federal subsidies of health care premiums. But it authorizes those premiums only for state-run exchanges, and not for federal ones. Unless the Obama administration unilaterally changes the law to authorize premiums for both state and federal exchanges -- a move Republicans in Congress will strongly resist -- Obamacare simply won't work.

The new Gallup poll and the Adler and Cannon article point up the three-pronged challenge President Obama and Democrats face in making Obamacare a reality. First, there is the immediate constitutional

challenge to the law's individual mandate. Second, there is solid public opposition to the law. And third, there are serious flaws in the law itself that could cripple it before implementation. Even if Obamacare passes its constitutional test, it still faces serious obstacles ahead.