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Illinois Republicans ask Attorney General Madigan to join lawsuit against healthcare law



March 24, 4:25 PM · Chicago Conservative Issues Examiner · Joseph O'Day

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On March 23, 2010, Aaron Schock, Judy Biggert, Timothy Johnson, Don Manzullo, Peter Roskam, Aaron Schock, and John Shimkus—all Illinois Republican members of Congress—wrote a letter to Lisa Madigan requesting that she join with other states in filing a lawsuit on behalf of the state of Illinois against the Patient Protection and Affordable Care Law (healthcare law).

[They assert in the letter](#), "It is important for Illinois citizens to have a voice in a lawsuit challenging this unprecedented and unconstitutional legislation. We support a reform of our broken health care system, but HR 3590 is not the proper way to do so.

Mandating individuals to purchase health insurance is the beginning of a slippery slope that could lead to the further erosions of individual liberty." It would be shocking, however, if Madigan, being part of the Illinois Democrat machine, agreed to such a legal move.

The Commerce Clause of the Constitution is what the Democrats in Congress have based this legislation on. But [Randy Barnett of the Cato Institute](#) says that "the individual mandate [to buy health insurance] extends the commerce clause's power beyond economic activity, to economic inactivity. That is unprecedented. While Congress has used its taxing power to fund Social Security and Medicare, never before has it used its commerce power to mandate that an individual person engage in an economic transaction with a private company." This will be the main argument of the multistate lawsuit filed in Federal court.

Whether or not it succeeds is anyone's guess. We can only hope and pray that it does.

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