

Cato's Tanner discusses impatience with constitutional limitations

POSTED ON MARCH 28, 2012 AT 9:53 AM, BY [MITCH KOKAI](#)

[Michael Tanner](#) of the Cato Institute devotes his latest National Review Online [column](#) to the disturbing tendency among some progressives to ignore constitutional limitations on their plans and schemes.

In pushing through parts of the New Deal, President Franklin Roosevelt reportedly told one wavering congressman, "I hope you will not permit doubts as to constitutionality, however reasonable, to block the suggested legislation."

As one listens to the Obama administration and others defend the Patient Protection and Affordable Care Act (a.k.a. Obamacare), one gets the impression that Roosevelt's nostrum has been adopted as the official motto of this administration. Their attitude seems to be that, of course Obamacare is constitutional because, well, because it's important.

The idea that federal government's power should be limited is dismissed as a quaint relic of a bygone age. There are important national problems to be solved, and we should not be held back by a document from the past. As Representative Kathy Hochul (D., N.Y.) puts it, "Basically we are not looking at the Constitution. . . . The decision has been made by this Congress that American citizens are entitled to health care."

This attitude is on display in other areas as well. Constitutional niceties, legislative rules, and democratic debate are all impediments to be dispensed with when "we can't wait." ...

... The genius of the American system is that we are a government of laws and not of men.

That often makes for a messy and slow process. But it is far better than the alternative.

That's true even when a president believes "we can't wait."