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The problem with the State of the Union isn't the seating

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Bipartisan symbolism's all the rage on Capitol Hill right now, with members scrambling for a cross-aisle BFF to sit with at the State of the Union (SOTU). Tonight, the lion will lie down with the lamb--or at least Sens. Tom Coburn, R-Okla., and Chuck Schumer, D-N.Y., will sit elbow to elbow and try not to bite each other.

Maybe these gestures will lead to a nationwide surge of oxytocin--the togetherness hormone--healing partisan rancor across the fruited plain. But that's highly unlikely, given how polarizing the modern SOTU and the modern presidency have become.

A while back, Newsweek editor Evan Thomas went on MSNBC's "Hardball" with a tingle in his leg and a song of national unity in his heart. "In a way," Thomas burred, "Obama is standing above the country, above the world. He's *sort of God*... He's going to bring all different sides together."

But "the One" works in mysterious ways; if President Obama meant to "bring all different sides together" at last year's SOTU, he ("He"?) had a funny way of going about it.

With six Supreme Court justices sitting before him, Obama denounced the Court's decision to uphold the First Amendment in *Citizens United*, a case in which the administration admitted that its legal theory would allow the government to ban books.

When Obama proclaimed that the decision would let foreign corporations spend without limit in US elections, Justice Samuel Alito mouthed the words "*not true*," because the president's statement was, you know--not true. Bizarrely, liberal pundits accused *Alito* of breaching decorum.

As long as we're shuffling deck chairs for the sake of comity, how about starting a new tradition where the Supremes *stay home*? They're supposed to be a politically neutral bulwark of our liberties, and it's unseemly to seat them at a presidential pep rally--especially if they'll be harassed from the podium.

In fairness, Obama's hardly our first polarizing president. There was a time when the "approval gap"--the difference in presidential approval ratings from members of his own party and from

those across the aisle--rarely got above 40 percent. Lately, it's passed 70 percent under both Presidents George W. Bush and Obama.

Today's presidents are, by their nature, "dividers, not uniters," argues University of Maryland political scientist Frances Lee. Her data shows that when presidents highlight a given issue in the State of the Union, they significantly increase the chances it will be decided by a party-line vote.

The modern president has become a lightning rod for partisan sentiment. In large part, that's because the modern presidency has become too prominent and far too powerful.

The original SOTU was a modest affair, in keeping with the constitutional requirement that the president give Congress "Information of the State of the Union and recommend to their Consideration such Measures as he shall judge necessary and expedient."

The idea was, with a full-time executive and a part-time legislature, the president would be well-placed to gather facts that would help Congress's deliberations. As President Zachary Taylor put it in 1849, "the Executive has the authority to recommend (not to dictate) measures to Congress."

But today's SOTU has become an imperious sermon befitting an Imperial President, short on "Information," long on pomp and circumstance, and larded with exorbitant demands on the public purse. Shaking up the seating chart won't help.

Some say that, given modern technology, there's no going back to the humble communique that the Framers envisioned, and that 19th-century presidents used to have copied and messengered up to the Hill.

But Obama's said to be inseparable from his Blackberry. Couldn't he do us all a favor and just text it over?

Examiner Columnist Gene Healy is a vice president at the Cato Institute and the author of "The Cult of the Presidency."

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