

Supposing Obama Were a Bipartisan

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In August 2004, a then-obscure Illinois state senator delivered a dazzling keynote address at the Democratic National Convention. Of special interest, because it departed from the election season's bitter partisanship, was his eloquent insistence on the unity undergirding the nation's great diversity:

There's not a liberal America and a conservative America; there's the United States of America. There's not a black America and white America and Latino America and Asian America; there's the United States of America. The pundits like to slice and dice our country into red states and blue states: red states for Republicans, blue states for Democrats. But I've got news for them, too. We worship an awesome God in the blue states, and we don't like federal agents poking around our libraries in the red states. We coach little league in the blue states and, yes, we've got some gay friends in the red states. There are patriots who opposed the war in Iraq, and there are patriots who supported the war in Iraq. We are one people, all of us pledging allegiance to the Stars and Stripes, all of us defending the United States of America.

As a result of his decisive victory on November 4, Barack Obama will have the opportunity to match deeds to words by governing as president not only of the 53 percent of the electorate who voted for him but of the 47 percent who did not.

It won't be easy. All of his professional and political life, Obama has made his home on the left wing of the Democratic party. And, though to listen to the mainstream media one would think that only John McCain and Sarah Palin played political hardball, Obama's successful campaign was highly partisan, which is natural in the rough and tumble of electioneering, with the highest office in the land on the line.

Nevertheless, when accepting his party's nomination at the 2008 Democratic National Convention, before 80,000 cheering supporters at Denver's Invesco Field, Obama reaffirmed his belief in a common American core beneath respectable partisan differences:

The men and women who serve in our battlefields may be Democrats and Republicans and Independents, but they have fought together and bled together and some died together under the same proud flag. They have not served a Red America or a Blue America--they have served the United States of America.

Part of America's greatness, Obama rightly observed, is its "promise of a democracy where we can find the strength and grace to bridge divides and unite in common effort." And after the votes had been counted, late on Election Night, in front of a jubilant crowd jammed into

Chicago's Grant Park, Obama sounded this theme one more time:

[W]hile the Democratic Party has won a great victory tonight, we do so with a measure of humility and determination to heal the divides that have held back our progress. As Lincoln said to a nation far more divided than ours, "We are not enemies, but friends though passion may have strained it must not break our bonds of affection." And to those Americans whose support I have yet to earn--I may not have won your vote, but I hear your voices, I need your help, and I will be your President too.

All Americans should hope that the 44th president of the United States has the courage and sober judgment to honor these solemn commitments.

It is to be expected that Obama will govern as a progressive. But there are measures he could back as president and appointments he could make--consistent with the larger progressive spirit--that would show respect for conservative concerns and accord with principles that, at their best moments, both right and left in America embrace. Here are seven:

(1) Obama should defend the integrity and independence of the executive branch that he will soon head by resisting calls from congressional Democrats to pursue criminal investigations of Bush administration officials--the foundations for which were laid by hearings conducted last spring by House Judiciary Committee chairman John Conyers Jr.--for policy decisions they made about how to wage the war on terror. Obama should also speak out forcefully against efforts by European judges who invoke claims of universal jurisdiction to indict Bush administration officials as war criminals. One sure consequence of the criminalization of national security policy differences is the weakening of the office of the president, which, over the long term, will hurt both parties and the nation. Beyond that, the prosecution and imprisonment of defeated or disfavored officials is typical of dictatorships but is incompatible with the peaceful transfer of power that is a hallmark of democracy.

(2) Obama should reappoint Robert Gates secretary of defense. By putting the Department of Defense on a steady course after the volatile Rumsfeld years, Gates has earned the respect and admiration of the uniformed military and the Pentagon. In an area where Obama has little experience, reappointing Gates would show that he recognizes that he is a wartime president and that he stands to benefit from a seasoned veteran with a distinguished track record who could lend continuity to national security during a period of transition.

(3) Obama's first appointment to the Supreme Court should be a judge's judge, a Democrat no doubt, but one who commands the respect of conservative court watchers. By virtue of his knowledge of the law and his judicial temperament and integrity, Merrick Garland, a judge on the United States Court of Appeals for the District of Columbia Circuit appointed by Bill Clinton in 1997, comes to mind.

(4) Obama should institute a practice of regular consultation with members of Congress, including Republicans, perhaps inviting them to the White House once a month to compare notes and exchange views. On the campaign trail, Obama promised something similar, saying he would "call for a standing, bipartisan Consultative Group of congressional leaders on national security." This is a good start, but meetings with both parties' legislators should not be limited to national security. Such meetings cost little, provide the opportunity to build good will and understanding, and can contribute to setting that new tone in Washington of which candidates every four years speak.

(5) Obama, who has touted his support for charter schools, should endorse school choice. Certainly in inner cities where public schools have for decades been broken and have proven resistant to reform, Obama should favor efforts to provide low-income parents with the means to send their children to schools where they actually have the chance to learn reading, writing, and arithmetic.

(6) Obama should clearly state his opposition to reviving the so-called Fairness Doctrine, which Speaker of the House Nancy Pelosi and Senators Dick Durbin and Charles Schumer have called for. Conservatives see it as a thinly veiled effort to suppress conservative talk-radio by demanding that stations that feature conservative stars such as Sean Hannity and Rush Limbaugh provide the left with equal opportunities to broadcast their views. Even if the measure has little chance of passing, conservatives would appreciate Obama's explicit rejection of it. This is not only because it is aimed at a conservative advantage, but also because as conceived it invites an appalling and unconstitutional regulation of political speech by Congress. It is one thing to require radio and TV stations, which broadcast over public airwaves, to give opposing candidates a fair chance to express their views. It is quite another to put government in the business of determining what sort of programming would balance Hannity and Limbaugh, which, in fairness, would also require government to determine what sort would balance NPR.

(7) Obama should call on public universities to abolish campus speech codes and vigorously protect students' and faculty members' speech rights. By doing this Obama would score big with conservatives. He would also position progressives where they belong: on the side of free speech, vigorous debate, impartial inquiry, and openness to opposing points of view.

Although nothing in these proposals violates fundamental progressive tenets, all would undoubtedly irritate or anger one Democratic party constituency or another. Nevertheless, by adopting them, Obama would show that he is a man of his word who believes what he has emphatically said about bridging divides and uniting in common efforts by listening to conservatives and enlisting their support.

More than that, adopting these proposals would also serve the public. Coming from a Democrat in the White House, it would send the message to conservatives and progressives alike that, for all their genuine differences of opinion, left and right in America share important interests and fundamental principles and, by working together, can bring about change that both sides can believe in.

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