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Media conservatives falsely claim Obama's Supreme Court criticism was "unprecedented"

3 hours and 40 minutes ago — 19 Comments

Right-wing media are attacking President Obama for his criticism of the recent Supreme Court decision in *Citizens United v. FEC* during the State of the Union, calling it "unprecedented" and accusing the president of "intimidation." In fact, Obama's comments were not "unprecedented"; Presidents Ronald Reagan and George W. Bush have previously used the State of the Union to criticize judicial actions, including those of the Supreme Court.

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Right-wing media accuse Obama of "intimidation" in "unprecedented" Supreme Court criticism

Drudge: "INTIMIDATION: Obama directly condemns Supreme Court; Dems cheer." On January 27, the Drudge Report linked to a CBSNews.com [video](#) clip of the State of the Union speech with the following headline:

INTIMIDATION: Obama directly condemns Supreme Court; Dems cheer...

JUSTICE ALITO MOUTHS 'NOT TRUE' TO OBAMA...

VIDEO...

Napolitano: Obama's "attempt to intimidate" the Supreme Court has "never happened before."

On the January 29 edition of Fox News' *Fox & Friends*, Fox News contributor Andrew Napolitano said that the president's comments regarding the Supreme Court decision had "never happened before" and that he had "insulted them to their faces." He claimed that the Supreme Court justices were "guests" at the State of the Union and that "in that environment, [Obama] attacks them in a position where they cannot respond, and then attempts to intimidate them by inducing members of Congress to stand up and applaud, suggesting that he's right and they're wrong."

Krauthammer: Obama's comment "I believe is unprecedented." On the January 28 edition of Fox News' *Special Report*, Fox News contributor Charles Krauthammer said, "President Obama attacked the Supreme Court at the State of the Union address, which I believe is unprecedented." He called the comments "a direct attack" and "a breach of etiquette which shouldn't have happened."

In fact, presidents have a history of directly addressing and criticizing the Supreme Court

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Limbaugh says bin Laden should win Nobel Peace Prize and might write Dems' climate change talking points
49 MINUTES AGO



Limbaugh: "In Detroit, even if some terrorists blew some things up, depending on where they did it, you wouldn't know"
1 HOUR AND 3 MINUTES AGO

Harding criticized the Supreme Court for overturning the Child Labor Law in his 1922 State of the Union. In 1922, the Supreme Court **found** the Child Labor Law of 1919 to be unconstitutional. In his State of the Union **address**, President Warren G. Harding criticized the court for putting "this problem outside the proper domain of Federal regulation until the Constitution is so amended as to give the Congress indubitable authority. I recommend the submission of such an amendment."

Reagan criticized the court for its ruling on school prayer. In his 1988 State of the Union **address**, Reagan expressed his displeasure with the court's recent ruling on school prayer:

And let me add here: So many of our greatest statesmen have reminded us that spiritual values alone are essential to our nation's health and vigor. The Congress opens its proceedings each day, as does the Supreme Court, with an acknowledgment of the Supreme Being. Yet we are denied the right to set aside in our schools a moment each day for those who wish to pray. I believe Congress should pass our school prayer amendment.

Reagan directly attacked the Supreme Court for *Roe v. Wade*. In his 1984 State of the Union **address**, Reagan attacked the 1973 Supreme Court ruling in *Roe v. Wade*, during a discussion on abortion:

And while I'm on this subject, each day your Members observe a 200-year-old tradition meant to signify America is one nation under God. I must ask: If you can begin your day with a member of the clergy standing right here leading you in prayer, then why can't freedom to acknowledge God be enjoyed again by children in every schoolroom across this land?

[...]

During our first 3 years, we have joined bipartisan efforts to restore protection of the law to unborn children. Now, I know this issue is very controversial. But unless and until it can be proven that an unborn child is not a living human being, can we justify assuming without proof that it isn't? No one has yet offered such proof; indeed, all the evidence is to the contrary. We should rise above bitterness and reproach, and if Americans could come together in a spirit of understanding and helping, then we could find positive solutions to the tragedy of abortion.

Bush condemned "activist judges" who are "redefining marriage by court order." In his 2004 State of the Union **address**, Bush criticized "activist judges" who, according to him, were "redefining marriage by court order":

Activist judges, however, have begun redefining marriage by court order, without regard for the will of the people and their elected representatives. On an issue of such great consequence, the people's voice must be heard. If judges insist on forcing their arbitrary will upon the people, the only alternative left to the people would be the constitutional process. Our Nation must defend the sanctity of marriage.

The outcome of this debate is important, and so is the way we conduct it. The same moral tradition that defines marriage also teaches that each individual has dignity and value in God's sight.

— J.V.B.

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by bintx (3 hours and 8 minutes ago)

8

It wasn't unprecedented, but even if it was, Obama had the right to slam the decision. The S.Ct. is not a group of GODS, it is simply the third of our three CO-EQUAL branches of government. Get over it.

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by Victor Colorado (2 hours and 46 minutes ago)

6

Totally agree. Apart from this not being unprecedented, I'm somewhat taken aback by this notion of Media conservatives that "unprecedented" = "bad". Does "politics as usual" now = "good".



Limbaugh accuses Commerce Department of "manipulat[ing]" GDP numbers

1 HOUR AND 12 MINUTES AGO



Beck echoes Drudge, says Clinton's "political move" not to attend SOTU shows that she "may be outplaying Barack Obama"

1 HOUR AND 34 MINUTES AGO



Fox reports O'Keefe statement, touts his upcoming "Fox News exclusive" interview on *Hannity*

2 HOURS AND 4 MINUTES AGO



Beck says "Al Gore is full of crap" due to VA snowstorm, promises to idle his SUV to prevent future storm

3 HOURS AND 1 MINUTE AGO

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by markbfoot199 (2 hours and 23 minutes ago)

1 5

You are correct, so he should accept their opinions / expertise in the Constitution, much like they do his. I would be interested if any S. Court in the past have ever called out a President in their courts.

[REPLY](#) [REPORT ABUSE](#)



by shaggles (1 hour and 2 minutes ago)

2

Every time they overturn a law he has signed they demonstrate that they are not simply accepting his opinions/expertise.

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by NiceguyEddie (42 minutes ago)

Nice tyr, but Justices Scalito, Thomas Roberts, and Alito have, time and time again now, demonstrated very little "expertise" in Constitutional matters. Soemtimes I wonder if they've ever even *read* the document, or have *any appreciation* AT ALL for the historical context in which it came into being.

James Madison would be rolling over in his grave.

IMHO

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by NiceguyEddie (46 minutes ago)

Agreed. And I'm 100% with every critic of this decision besides. It was a, absurd ruling, and the latest in a long line of absurd rulings issued by the Roberts Court in which the Rights of Corporations have taken precedent over the Right of individulas.

Justice Alito is the one who ought to be ashamed of himself.

Bong hits for Jesus, dude!

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by magnolialover (2 hours and 57 minutes ago)

4

This is sort of like how the Obama administration criticizing the media was also "unprecedented". As in, if a dem does it, then it's bad.

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by shaggles (1 hour and 56 seconds ago)

1

Everything anyone does anymore is unprecedented. It has to be the most over used word in political journalism.

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by SLRTX (2 hours and 26 minutes ago)

2

Just 2 words sum up the hypocrisy of the conservatards:

You lie!

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by markbfoot199 (2 hours and 22 minutes ago)

2 3

Sorry, that would be more in line for this President, since he told several the other night.

Lobbyist

[REPLY](#) [REPORT ABUSE](#)



by jarossiter (2 hours and 19 minutes ago)

1

Ahh there's an original position, a politician lied.

Here's a clue for you. THEY ALL LIE!!!!

[REPLY](#) [REPORT ABUSE](#)



by markbfoot199 (2 hours and 12 minutes ago)

3

I agree, so lets go find some new ones.

[REPLY](#) [REPORT ABUSE](#)



by jarossiter (2 hours and 7 minutes ago)

1

THEY'll just lie too.

[REPLY](#) [REPORT ABUSE](#)



by SLRTX (1 hour and 42 minutes ago)

1 1

foot -

I agree. That was a whopper.

And that changes Fox's lies how??????

[REPLY](#) [REPORT ABUSE](#)



by swift (2 hours and 18 minutes ago)

1

Andrew Jackson forced the Cherokee off their land in Georgia, despite the Supreme Court finding that it was unconstitutional. "John Marshall has made his decision; let him enforce it now if he can," he said. So as far as a president disrespecting the Supreme Court, criticizing a recent ruling is not much.

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by dave (1 hour and 59 minutes ago)

1 3

Presidents Ronald Reagan and George W. Bush have previously used the State of the Union to criticize judicial actions, including those of the Supreme Court.

Nice, you guys at MMFA couldn't resist lumping Bush into this, even though he had nothing to do with the criticizing the SC. You have Harding and Reagan, and even Ronnie addressed them 11 years later, not two days, and never mentioned them by name.

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by right ON (1 hour and 57 minutes ago)

3 1

Another silly manufactured ginned up recipe of much ado about nothing. It's Obama's speech, he can say any damn thing he wants. It's Alito whose etiquette should be questioned, sitting there shaking his head mouthing not true. If you're there as an invited guest and you choose to attend, then be respectful and accept professional criticism, a difference of opinion.

Even though this wasn't, we need more *unprecedented-isms* in Washington anyway, I say bring 'em on.

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by foghornleghorn (1 hour and 22 minutes ago)

This just in: A corporation has taken the next logical step...

<http://videocafe.crooksandliars.com/heather/thom-hartmann-interviews-corporation-now-run>

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by DellDolly (53 minutes ago)

2

The unprecedented thing was Justice Alito's actions.

And according to the story I heard yesterday, he has a chip on his shoulder about Obama.

Obama voted against Alito because, as Obama said at the time,

"(W)hen you look at his record - when it comes to his understanding of the Constitution, I have found that in almost every case, he consistently sides on behalf of the powerful against the powerless; on behalf of a strong government or corporation against upholding American's individual rights.

If there is a case involving an employer and an employee and the Supreme Court has not given clear direction, he'll rule in favor of the employer. If there's a claim between prosecutors and defendants, if the Supreme Court has not provided a clear rule of decision, then he'll rule in favor of the state. He's rejected countless claims of employer discrimination, even refusing to give some plaintiffs a hearing for their case. He's refused to hold corporations accountable numerous times for dumping toxic chemicals into water supplies, even against the decisions of the EPA. He's overturned a jury verdict that found a company liable for being a monopoly when it had over 90% of the market share at the time.

It's not just his decisions in these individual cases that give me pause - it's that decisions like these are the rule for Samuel Alito, not the exception."

So Obama voted against Alito.

And then when Obama was visiting DC in early January as President-elect, he went to the Supreme Court. He was met by 8 justices. Guess who snubbed him by not being there? Alito.

And then, when Obama first got into office, what was his first act? To sign the Lilly Ledbetter Act, to counter the USSC ruling that Alito had authored.

Alito is a spiteful little man.

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