

The First Amendment Under Attack

By Representative Glenn Grothman

Who would not be in favor of reform? If you ask the public if they would be for education reform, environment reform, criminal justice reform, or tax reform, they would be overwhelming in favor. It's therefore easy for a politician to be for campaign finance reform.

Sadly, in the name of campaign finance reform passed in Madison and Washington last year the First Amendment is under attack as never before. Unless courts act quickly to strike down these laws it may also be more difficult than ever to defeat an incumbent.

On July 22nd, a special election to the State Assembly was held in South Milwaukee. What wasn't reported is that for the first time in Wisconsin history an independent organization (Wisconsin Right to Life) was forbidden to spend money in support of a legislative candidate. This is because under a new state law independent groups are unable to spend money sixty days before an election without advance notice. If someone would try to prevent the Journal-Sentinel from running ads for strip joints or cigarettes people would claim it was an obvious assault on free speech. That they can't buy an ad to say, "Vote for Smith" is not yet seen as a scandal.

A much worse federal law, the McCain-Feingold law, includes possible prison time for organizations that try to influence campaigns sixty days before an election. This could mean the Farm Bureau, the Teachers Union, the Sierra Club, or the National Rifle Association. Of course, politicians such as John McCain or Russ Feingold do not pass laws making it easier for them to lose elections. This is why the McCain-Feingold bill is known as the "incumbent protection act". Incumbents normally have a huge advantage in elections and it is only because of independent groups exposing their voting records that some of them lose.

Typically, mainstream newspaper editorialists are in favor of such laws. You may find this unusual since newspapers should be in favor of freedom of speech. If organizations such as the National Rifle Association or the Sierra Club are unable to run advertisements sixty days before a campaign it only strengthens the power of the newspaper monopolies to control what the public hears.

It is my opinion that these bills are normally pushed by legislators who themselves have had problems with the law. John McCain was one of the "Keating Seven" – those politicians involved in the Savings and Loan scandal. Russ Feingold received heavy fines after his last election effort for his inability to obey laws concerning spending limits.

Count me out of this sort of reform. I will be introducing legislation to try to undo Wisconsin's new campaign finance law passed last session. A variety of organizations have already spent tens of thousands of dollars in court trying to have this struck down.

On a national level a series of important court decisions will be issued in the next few months as to whether or not independent organizations will continue to have the right to free speech when it comes to discussing political candidates. Let's hope the First Amendment is protected.

Please let me know what you think on this issue. Contact me here in Madison---please call 1-888-534-0058.

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