

Will Supreme Court OK ban on campaign lies?

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With 6½ months to go before the General Election, it seems like a good time to ask: How do you feel about lying in a political campaign?

What if the lie is implicit, rather than explicit?

What if the lie is perpetrated by a secretive organization rather than by a candidate him- or herself? Is it wrong to tell lies in a campaign, or is all fair in love, war and politics?

And is the ad blitz targeting Secretary of State Ross Miller, a Democratic candidate for attorney general, a taste of what's to come for Nevadans who are likely to wish the 2014 campaign were over long before they get to go to the polls?

It is, unfortunately, too late to urge the candidates, the political parties and their supporters to keep it clean in Nevada this year. A "social welfare" group calling itself the State Government Leadership Foundation already has gone past that point with ads that try to tarnish Miller by showing him in photos with a wide range of stars, starlets and sports figures.

"He lives the life. You pay the tab," the narrator of the TV commercial says. "Tell Ross Miller to stop living the high life at your expense."

A Democratic Party spokesman retaliated by calling the ads "shockingly misleading and blatantly hypocritical."

April's not even over yet and already Nevada politics is stuck in the gutter.

All of which makes it rather ironic that the U.S. Supreme Court next week is scheduled to take up a case challenging an Ohio law that makes it illegal to make false statements about a political candidate.

The question before the court is a technical one concerning an anti-abortion group's standing to sue the state of Ohio over the law, not about the legality of lying itself. Numerous groups have joined the fight against the law, and those in 15 other states, arguing that it's a violation of the First Amendment's Freedom of Speech.

As the libertarian Cato Institute, in a friend-of-the-court brief written by the satirist P.J. O'Rourke, so aptly — and honestly — put it, smear tactics are a cornerstone of American democracy. One politician's mud-slinging is another's truth-telling, after all.

Equally important, who's going to be the arbiter?

Was Richard Nixon's "I am not a crook" a lie?

How about Bill Clinton's "I did not have sex with that woman, Miss Lewinsky"?

Or Barack Obama's "If you like your health insurance, you can keep it"?

For the record, none of those statements were true, although all three presidents, including Clinton, seemed to believe them at the time. A judge might view them differently, however.

And there's another problem with anti-campaign-lying laws: "The thing we see time and time again in political campaigns is that candidates use the law to game the system by filing a complaint," Ohio's attorney general, Mike DeWine, told The Associated Press.

Well, of course they do.

The real question for groups like the State Government Leadership Foundation and those that fund them is: Do they work? Will a few 30-second ads (and an anti-Miller website that go with them) succeed in defining a candidate like Miller, who's been in statewide office for eight years? Or will they just turn the voters off on the election?

It'll take another 6½ months to find out the answer to that question.