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Lies From the Campaign Trail

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The Supreme Court is hearing a First Amendment case that asks if lying about a political candidate during campaign season is constitutional. In 2010, the Susan B. Anthony List, a pro-life PAC, almost posted a billboard accusing a state representative from Ohio of supporting state-funded abortion. The problem? Rep. Steve Driehaus says it ain't so; he merely voted for a portion of ObamaCare that allowed the abortions. An Ohio law makes lying about a candidate a misdemeanor, but Ohio's Attorney General Michael Dewine, the man whose duty it is to defend the law before the Supreme Court, filed an Amicus brief saying the "statute may chill and penalize speech at critical times immediately before elections." The CATO institute submitted an [Amicus brief of its own](#) that said, "The campaign promise (and its subsequent violation), as well as disparaging statements about one's opponent (whether true, mostly true, mostly not true, or entirely fantastic), are cornerstones of American democracy. Indeed, mocking and satire are as old as America, and if this Court doesn't believe amici, it can ask Thomas Jefferson, 'the son of a half-breed squaw, sired by a Virginia mulatto father.'" The last bit was a barb leveled against the founding father during the election of 1800. Of course, all American politicians are always honest. They are not crooks, they have never had sexual relations with that woman, and if you like your insurance plan, you can keep it.