

# Richmond Times-Dispatch

## Free speech can be so annoying

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“There’s just way too much money in politics,” said a candidate for governor earlier this month. Since the candidate was Terry McAuliffe, a political fundraiser of Brobdingnagian proportions, the remark could go down as the funniest line from this year’s contest.

McAuliffe had just been asked if he would support campaign-finance reform, so he may simply have been pandering to his audience. Unfortunately, many others who have said much the same mean every word of it. That spells bad news for ordinary citizens like Edmund Corsi.

Corsi lives in Geauga County, Ohio, where he strives to be a burr under the saddle of public officials who disregard the Constitution, which to Corsi means most of them. So a few years ago he started a blog (why should he be different?) and got together with a couple of like-minded folks. They called themselves the Geauga Constitutional Council.

One day Corsi was handing out pamphlets at a county fair. One of the people who took a flyer was Ed Ryder, a Republican and a member of the local Board of Elections. Corsi didn’t have much nice to say about Ryder. So Ryder did what any petty Napoleon would do: He went after Corsi using Ohio’s campaign-finance laws.

Long story short: Because Corsi spent money, no matter how little (his website cost all of \$40), the Ohio Election Commission said Corsi should have incorporated his group and registered with the state as a political action committee — hiring a lawyer to help with the “very complicated” process. As far as Ohio is concerned a political action committee can consist of as few as two people. Besides, Corsi engaged in “express advocacy” about politicians. The horror.

Two courts have ruled in the commission’s favor. The Center for Competitive Politics, which is based in Arlington, has asked the Supreme Court to hear Corsi’s case. Let’s hope the justices agree to do so, because the Corsi case epitomizes a growing problem: the censoring of free speech through back-door regulation.

That was precisely the problem at issue in the scandal over the IRS’ treatment of tea-party groups: Organizations with certain political views were singled out for special scrutiny — their applications sidetracked, their activities probed, their members’ reading habits and religious practices investigated — at the behest of government officials such as Sens. Chuck Schumer and Al Franken. (A few progressive groups got caught up in the sweep. But like dolphins caught in tuna nets, they were not the intended target.)

Don't let the IRS scandal lead you to believe shutting up political opponents is something only Democrats do, however. Just look at Wisconsin, where progressive foes of Republican Gov. Scott Walker have been holding "Solidarity Sing-Alongs" at the state capital ever since Walker signed anti-union legislation. NPR reports that "earlier this summer, the Walker administration apparently grew tired of the protests and ordered Capitol police to start arresting people."

NPR says more than 300 protesters have been booked since "a federal judge ruled that groups with more than 20 participants must get a permit." To that, retiree Ron Edwards offers this riposte: "We won't get a permit because the First Amendment is our permit."

In Norfolk, city officials who were trying to take Bob Wilson's property through condemnation didn't like the sign he put up protesting "eminent domain abuse." So they threatened him with fines of \$1,000 a day for improper signage. Officials in St. Louis pulled the same stunt on landlord Jim Roos, who put up a similar sign. When the city told him he needed a permit, he applied for one. The city turned him down. Last week in California, Modesto Junior College told a student he could not hand out copies of the Constitution — on Constitution Day.

In Minneapolis, officials wanted to stop Brian Johnson from handing out Bibles at a gay-pride festival (a festival organizer claimed that would cause "congestion"). A federal court agreed, but recently was reversed on appeal. And Minnesota state officials do not want to silence just Bible-thumpers: They want to silence everyone in the vicinity of a polling booth.

Minnesota law makes it a misdemeanor to wear any "political badge, political button, or other political insignia" to the polls. In 2010, a number of Minnesotans fell afoul of that rule. The Rutherford Institute, based in Charlottesville, and the D.C.-based Cato Institute have filed a brief asking the Supreme Court to hear their case.

The two organizations contend such passive political activity is protected by the First Amendment. Minnesota contends that it threatens the "integrity" of elections. In that regard, the Land of 10,000 Lakes has much company. Nothing is so threatening to the democratic process, the governing class seems to think, than letting ordinary citizens think they can run the show.