

THE WALL STREET JOURNAL.

What Role Should Mark Zuckerberg Play in U.S. Elections?

The Facebook founder's funding of election administration may be constitutionally protected.

January 6, 2022

In “No Facebook Funding for Elections” (op-ed, Dec. 31), Tarren Bragdon and Joe Horvath endorse a ban on private funding for public election administration. The problem they target—partisan spending by public officials—may be real, but their proposed ban is a significant infringement on free speech. Contributions by the private sector, whether by Mark Zuckerberg or Charles Koch, should be fully protected. But public-sector recipients of those contributions must not spend them in a politically discriminatory manner.

Under current law, unlimited private, independent expenditures on behalf of candidates or parties are permissible. Direct contributions to candidates and parties are, regrettably, capped. They should not be. Ditto for private contributions to fund elections. Mr. Zuckerberg should have every right to fund get-out-the-vote drives in Democratic, but not Republican, districts (although he denies that allegation). Voluntary contributions for such purposes are preferable to coerced taxpayer funding. On the other hand, the law should prohibit expenditures by public-sector officials that favor any party or candidate.

Nonpartisan spending within each district could have partisan implications if only Democratic (or Republican) districts are funded. But that's no greater problem than uneven public expenditures across multiple jurisdictions or independent, private expenditures by partisan donors. Even if there were favoritism on an aggregate, national scale, that would not be rectified if some, but not all, states enacted the ban recommended by Messrs. Bragdon and Horvath.

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