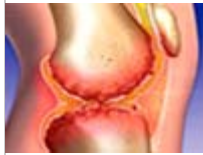


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This Week's Column: A Blow for Free Speech

Posted By [John Stossel](#) On January 28, 2010 @ 12:26 am In [Syndicated Column](#) | [No Comments](#)



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Last week's 5-4 Supreme Court ruling freeing associations of individuals (that is, corporations) to spend money on political speech before elections has garnered an [unusually hysterical reaction from the left](#) ^[1]. Part of that may be due to the timing of the ruling, arriving as it did just days after the election of a Republican to Ted Kennedy's Senate seat threatened to torpedo Obamacare. In this week's [syndicated column](#) ^[2], I take [a closer look](#) ^[3] at the arguments behind the hysterics:

In condemning the decision, the offended progressives engaged in amazing mental contortions. It "was wrong because nothing in the First Amendment dictates that corporations must be treated identically to people," the [Post editorialist wrote](#) ^[4].

I guess the writer is unfamiliar with the obscure opening phrase of the First Amendment: "Congress shall make no law." And apparently the outraged progressives don't realize that corporations and unions are associations of individual who have rights. Dissenting Justice John Paul Stevens didn't get it, either.

The media outrage is almost funny. Under McCain-Feingold, media corporations were exempt from the prohibition -- which suits the Washington Post and New York Times just fine. But people with common sense already knew what Justice Kennedy found it necessary [to say](#) ^[5]: "This differential treatment (between media and nonmedia corporations) cannot be squared with the First Amendment."

So now we are being served dire warnings that "corporate money ... may now overwhelm both the contributions of individuals and the faith they may harbor in their democracy." (Are similarly

freed wealthy labor unions potted plants?) But the same Post editorial conceded that corporate money was "never lacking in the American political process." So what's the difference?

Besides, as John Samples and Ilya Shapiro of the Cato Institute write: "Before McCain-Feingold, both (corporations and unions) could spend freely on advertising about candidates for federal office. Such spending made up a relatively small part of election-related speech, and no one group dominated ... the political arena" (<http://tinyurl.com/yjnjqsa> ^[6]).

Full article [here](#) ^[3].

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URLs in this post:

[1] unusually hysterical reaction from the left: <http://stossel.blogs.foxbusiness.com./2010/01/26/a-word-about-campaign-finance-laws/>

[2] syndicated column: <http://www.creators.com/opinion/john-stossel.html>

[3] a closer look: <http://www.creators.com/opinion/john-stossel/a-blow-for-free-speech.html>

[4] Post editorialist wrote: <http://tinyurl.com/y9kh17j>

[5] to say: <http://www.supremecourtus.gov/opinions/09pdf/08-205.pdf#page=5>

[6] <http://tinyurl.com/yjnjqsa>: <http://tinyurl.com/yjnjqsa>

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