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High court to weigh in on union political giving

By Richard Berman
Guest Columnist

The U.S. Supreme Court has agreed to consider whether the Washington Education Association has to ask permission before using teachers' money for political purposes. This despite a ballot initiative the voters passed in 1992 requiring unions to do exactly that.

To get an idea of why Initiative 134 passed so resoundingly—by 72 percent of voters—consider the fact that almost 90 percent of the tax-paying public does not participate in “public” funding of elections.

Almost no one says yes to election funding on IRS 1040 forms because Americans don't want their tax dollars going to candidates they don't support. Laws like Initiative 134 preserve this freedom for union members, just as taxpayers who support Democratic politicians don't have to have their money going to Republican candidates for president, and vice versa.

And that's not counting the millions coming off those checked boxes received by the quixotic campaigns of candidates charitably described as “fringe.” Lyndon LaRouche, the perennial candidate, has actually received \$6.4 million from the federal treasury. John Hagelin of the Natural Law Party, meanwhile, has received more than \$1.75 mil-

lion in tax money to do things like explain how, in Kosovo, he would have sent in “Yogic flyers” whose transcendental meditation spreads peace via “a quantum-mechanical consciousness field.”

There's a lot of money in politics from voluntary donations, but for reasons of Yogic flyers and more, there isn't a lot of money coming from involuntary giving.

Except for union money. The National Institute for Labor Relations Research estimated that labor's political expenditures totaled \$925 million in the 2004 cycle; the bulk of that comes from dues money that unionized employees have no choice about paying. But most of this money isn't given directly to politicians. Instead, these “non-political” dollars are spent on get-out-the-vote drives for endorsed candidates and nakedly political communications with members on how they should vote.

While it's true that unions don't generally give to fringe candidates (excepting the plumbers union local that gave LaRouche \$1,000 in the last election), it's also true that a lot of membership dues go toward politicians that many members certainly do not support. Exit polling by CNN in 2004 found that 38 percent of union members voted to re-elect President Bush, but in that race union leaders handed over

more than 95 percent of members' dues money to John Kerry.

Even the union members who share their leaders' electoral preferences prefer to have personal control over their political money. A 2004 Zogby poll found that 61 percent of unionized employees support “pay-check protection” laws like Initiative 134. If Washington's example is any indication (teacher “participation” in union giving dropped 86 percent after Initiative 134 became law), even more than that will take advantage of it.

Needless to say, union bosses will happily spend their members' compulsory dues fighting to keep those dues compulsory. In March the Washington Supreme Court overturned paycheck protection—at the expense of teachers and the will of the electorate—but its federal cousin may soon uphold once and for all workers' rights to abstain from union political giving.

As the failure of “public” election funding demonstrates, we don't like it when the government makes our political decisions for us. Why should we let union officials do the same thing?

Richard Berman is executive director of the Center for Union Facts, a non-profit organization supported by foundations, businesses, union members and the general public.