

Common Cause in Wisconsin: Progress on democracy in the badger state requires a look to the past

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When I became the director of Common Cause in Wisconsin in 1996, this state was still very much one of the bright lights in the nation when it came to honest, transparent, accountable state government and politics.

There was bipartisan consensus here that the amount of special interest money in elections was growing and that it should be curbed. The most serious ethics problem back then was lobbyists furnishing some legislators free tickets to Packers' games and some meals. Voting was relatively easy and voter turnout at election time was second only to Minnesota, nationally. Our state Supreme Court and judiciary at all levels was revered and respected for its impartiality and non-partisanship and was a model for the rest of the country.

Then, in 2002, top legislative leaders of both chambers and in political parties were brought down in the most serious political scandal in the state's history, the legislative caucus scandal. A new governor, Jim Doyle, promised political reform and campaigned on it, but backed off when he saw how money flowed to power.

There was some significant reform in Doyle's second term. The non-partisan Government Accountability Board (GAB) comprised of retired judges was established in 2007, with the power to investigate corruption in the Capitol thanks to a stream of funding not subject to legislative control. It worked very effectively. Once again, we were a role model for the nation. Then, in late 2009, full public financing for state Supreme Court candidates who limited campaign spending became law in reaction to unprecedented special interest "independent" spending on Supreme Court races in 2007 and 2008.

But in 2010, Scott Walker and a conservative, anti-reform Republican majority were swept into power and early in 2011 began the systematic dismantling of any and all political reform that had been enacted into law in Wisconsin since the Progressive Era.

And as the crowning achievement, Walker and the GOP legislature, in order to ensure Republican control of the legislature for the next decade, rammed through the most partisan gerrymander of state legislative and congressional districts in the nation in 2011. It was also rated as one of the five most partisan gerrymanders nationally in the last fifty years. In the space of a couple of months there was Act 10, of course, but also the imposition of the most extreme and restrictive voter photo ID law in the nation - surpassing in severity states like Mississippi and South Carolina. All public financing of elections (full funding for Supreme Court elections and partial public financing for other statewide and legislative elections) was completely wiped out.

It has been effective beyond their wildest hopes and expectations. Virtually no legislative or congressional seats have changed partisan hands in elections since then.

But there was more. In 2015, a freshly re-elected Walker and the gerrymandered GOP majority led by Assembly Speaker Robin Vos and State Senate Majority Leader Scott Fitzgerald destroyed the non-partisan GAB and got rid of the non-partisan judges because they had the temerity to authorize an investigation into the illegal campaign coordination that occurred in the 2012 recall election between Scott Walker's campaign and Wisconsin Club for Growth. A conflict of interest-ridden state Supreme Court facilitated this outrageous action. The Legislature also effectively, retroactively decriminalized that formerly illegal campaign coordination and for good measure exempted politicians from being investigated under the state's longstanding and highly effective "John Doe" investigative process - which was

crucial in uncovering corruption in the Capitol during the caucus scandal.

They replaced the GAB with partisan commissions to which they controlled the appointments and made any investigation of corruption, and its funding, subject to their approval. And they destroyed whatever limits still existed on special interest money, particularly that money controlled by the legislative leaders. Further, they eliminated most meaningful disclosure of third-party campaign money and transformed Wisconsin from one of the most transparent states in the nation to one of the darkest of the dark money states.

In 2018, a majority of Wisconsin voters said “enough” and threw out Walker and GOP Attorney General Brian Schimel in statewide elections not affected by partisan gerrymandering. The new governor and attorney general, Democrats Tony Evers and Josh Kaul, vowed to restore integrity and fairness to state politics and state government. More significantly, the citizens of Wisconsin have risen up and are demanding extensive and fundamental political reform.

Ten years ago, few Wisconsinites knew what gerrymandering even meant, let alone how it robbed them of genuine choices in elections. Today, overwhelming majorities of citizens of all political persuasions are demanding fair voting maps and a non-partisan redistricting process like Iowa has. County boards and citizen referendums are pressuring the Legislature to end gerrymandering and the issue is at the forefront of citizen concerns. And despite the onerous and extreme voter photo ID law that has depressed voter turnout here, citizens continue to challenge its very premise (in April Common Cause filed a suit against the Wisconsin Election Commission over the unfair restrictions placed on college and university students’ ability to vote). A vast effort is underway to help those who face high hurdles to obtain the required voter ID.

After a decade of extraordinary setbacks, the quest for genuine political reform is moving forward again in Wisconsin. With continued focus, determination and a little luck, we may get back to where we were in 1996. Then we can build on that to restore this state as the beacon of democracy for the nation that we once were.