

## It's His Party

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If you're a fan of freedom of speech, you're probably also a fan of the First Amendment of the United States' Constitution.

Unfortunately, governments keep trying to evade it.

When their censorship can't itself be evaded, often the only thing to do is go to court.

Merely showing a copy of the Constitution to the offending officials rarely suffices.

That's why Kells Hetherington [teamed up](#) with the Institute for Free Speech [to overturn](#) a Florida statute

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requiring that "a candidate running for nonpartisan office may not state the candidate's political party affiliation." In a 2018 campaign for Escambia County School Board, Kells had been fined for calling himself a "lifelong Republican" as part of his candidate statement on the county's website. In a later



campaign, he kept silent to avoid another fine.

The Institute points out that in violating the First Amendment rights of candidates, Florida's don't-say-party law has especially hurt challengers. It has deprived them of a valuable shorthand way of indicating the tenor of their political views, a shorthand that incumbents have many more ways of communicating to voters outside the context of campaign statements.

Kells and IFS [have won](#). Late last year, a district judge in Florida ruled that the First Amendment does indeed protect his right, as a candidate, to mention his political party.

Kells says that "hopefully, this will never happen again to any other candidates."

In any case, it's clear that the [Institute for Free Speech](#) will never be out of a job. That First Amendment won't enforce itself.

This is Common Sense. I'm Paul Jacob.