

Randal Meyer Co-Authors WSJ Column on IRS and Free Speech

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[Randal J. Meyer](#), who recently joined McGuireWoods Consulting as a senior vice president for federal government affairs and McGuireWoods law firm as counsel in Washington, co-authored a [Nov. 22 op-ed column](#) published in *The Wall Street Journal*.

The column calls out the Internal Revenue Service for using its taxing power to stifle expression it doesn't like, specifically organizations that advocate for "better business conditions relating to activity involving controlled substances" — namely, marijuana.

The piece noted that while the IRS grants tax-exempt status for nonprofits that advocate for tougher controls on pot and other controlled substances, the agency denies it to groups that support cannabis legalization or deregulation.

The Supreme Court has not been kind to government-imposed viewpoint discrimination. In 1995, the column noted, the court ruled in *Rosenberger v. University of Virginia* that UVA unconstitutionally denied a campus Christian magazine's request for student activity funds because university guidelines prohibited recognized groups from manifesting "a particular belief in or about a deity or an ultimate reality."

The Constitution's hostility toward state-dictated restraints on certain forms of public advocacy is rooted in the framers' suffering under British anti-sedition laws before the Revolutionary War. "Banning or even burdening the freedom to advocate for changing governmental policies, no matter how unpopular or odious the message may be, violates not only the First Amendment but the idea of government by the people," Meyer and his co-author wrote. "Impeding such advocacy cannot have any legitimate governmental purpose, much less a compelling one."

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