



Wisconsin's Governor Wins, but Is He Now Dead Man Walker?

By Dawn Reiss / Madison | Saturday, Mar. 12, 2011

The Wisconsin State Capitol had taken on an eerie quiet by late Friday. Gone were the throngs of protesters who had occupied its marble floors like it were a summer campground. The midnight honking of cars circling the white building had ceased. The chalk outlines around fake dead bodies etched with Wisconsin Governor Scott Walker's name remained in dismembered parts, not yet completely washed away by hoses.

It was the governor, however, who had walked away the legislative victor in the showdown. On Friday, as angry protesters chanted "Shame" and blew horns and vuvuzelas, Walker took up a dozen pens, one at a time, to sign into law a bill that not only takes away the ability of unions to bargain collectively over pensions and health care but also limits pay raises of public employees to the rate of inflation and ends automatic union dues collection by the state. It also requires public unions to recertify annually. It was a coup by Wisconsin Republicans against the labor movement in one of its strongholds.



Scott Olson / Getty Images

Protesters march outside the Wisconsin State Capitol in Madison on March 11, 2011

[\(See how Wisconsin Governor Scott Walker got his way.\)](#)

The governor allowed himself a moment to reflect on how his signature might play historically. "Some have asked whether this is going to set a national precedent," he said. "And I don't know ... but if along the way we help lead a movement across the state for true fiscal reform, true budgetary reform to ultimately inspire others across this country, state by state and in our federal government, inspire others to stand up and make the tough decision to make a commitment to the future so that our children across all states don't have to face the dire consequences we face because previous leaders have failed to stand up and lead, I feel that is a good thing." He also attempted to be magnanimous toward the thousands of protesters who had gathered in Madison since he first announced his legislative intentions on Valentine's Day. "I think we've had a civil discussion," he said. "It's been passionate, but it's been civil along the way."

The public outcry had been unexpected and brought out many first-time protesters who stayed on or returned again and again, even as observers thought the remarkably peaceful demonstrations would dissipate. And so, for the many who showed up, some at great sacrifice, were the protests in vain? "No," says Kenneth Mayer, who teaches political science at the University of Wisconsin. "It was pretty clear that the protests, as massive as they got, weren't going to change the governor's mind. Even though they didn't succeed in getting what they wanted, they mobilized a lot of people and made this a salient issue. A protest doesn't have to succeed in its immediate goal to have a long-term impact."

[\(See pictures of the showdown in Wisconsin.\)](#)

That probably means the protesters are going to turn from slogans to pocketbooks, funneling millions of dollars in donations into the state's unions. Their anger will likely also provide momentum for recall petitions. Wisconsin allows for the recall of elected officials once they have been in office for a year. According to Mayer, signatures amounting to 25% of the original voters must be gained to start a recall election. Getting rid of Walker would be tough. The governor was just voted into office and therefore could not be subject to a recall until Jan. 3, 2012. And it would require about 540,000 signatures to get his name on a recall ballot. Wisconsin has never recalled a governor in its history. Still, the threat of a recall — to Walker and his allies — could keep the governor in check. Democrats need to gain three seats in the state senate to win back control of the body; there are eight GOP senators who are now eligible for recall.

[\(See pictures of the Japan earthquake.\)](#)

The anger and activism could also propel legal challenges regarding the way Republicans may have violated open-meetings law and internal procedures to get the bill passed without a quorum (Democratic senators fled to Illinois specifically to prevent passage). But Mayer says that such claims

are unlikely to succeed because "there is case law where the state courts have declined to get involved and force a legislature to enforce its own rule." A constitutional challenge on the basis of whether the Republican reclassification of the bill from fiscal to nonfiscal were legal may have a better chance, says Mayer, but "it's not a slam dunk."

The protesters have a lot of contained anger to vent. The demonstrations — a "quiet riot," according to some — managed to avoid turning violent. Though tensions mounted toward the end, there were never any door-busting, glass-breaking riots. It was horn blowing and button wearing instead of fistfights. There was drum beating and dancing instead of destruction. There were baby strollers and wheelchairs decked out with snarky signs. When Bill Hoyt, 52, saw his middle- and high school daughters and their friends banging on glass panels on the capitol grounds, he reminded them to be respectful of government property, saying destruction wasn't a good use of their frustration and that it would only create more problems.

The frustration from the defeat will be channeled elsewhere. Wiping tears from beneath her dark-rimmed glasses, Anne Moser, 47, who works for the University of Wisconsin-Madison's science-based Water Library, said, "People know that violence doesn't get you anywhere. The attack the Republicans have made is violent and a violation of human rights. It is an attack on the middle class. We teach our children to follow rules and to sit at the table and work it out, but that certainly hasn't happened here." And so she and her allies may seek their revenge elsewhere: in a court of law or, most likely, a polling booth.