

WISCONSIN CATHOLIC CONFERENCE

EYE ON THE CAPITOL

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SOME LAWS SAY A LOT ABOUT WHO WE ARE, WHAT WE VALUE

By John Huebscher, Executive Director

Wisconsin's laws make for some pretty dull reading. Most laws consist of technical prose defining eligibility for programs and drawing lines between legal and illegal conduct.

But some laws serve a different purpose. Some declare a policy vision for our state or define the scope and mission of what our government should do. It is in these sections of the statutes that prose becomes poetry. It is there that we Wisconsinites define who we are and what we want our state to be.

Two such laws are sections 111.01 and 36.01(2) of the statutes. The former sets forth a vision of employment relations. The latter is the mission statement for the University of Wisconsin. Both are topics of debate in the 2015 Legislature.

The Declaration of Policy articulated in section 111.01 defines the policy of the state as to employment relations and collective bargaining. In its four subsections, this Declaration sets forth a vision of labor relations that commits our state to protecting and promoting the interests of the public, employees, and employers "with due regard to the situation and to the rights of others."

The Declaration asserts that the goods of "industrial peace, regular and adequate income of employees, and uninterrupted provision of goods and services" are in the public interest. It states that these things are interrelated and are largely dependent on "fair, friendly, and mutually satisfactory employment relations." The Declaration further affirms that terms and conditions of work "should result from voluntary agreements between employer and employee," and affirms a right of employees to bargain collectively "without intimidation or coercion from any source". The Declaration concludes by stating that the state "substitutes processes of justice for the more primitive methods of trial by combat."

The notions that industrial peace is in the public interest, that the conditions of work should be voluntarily agreed to and that processes of justice are preferable to trial by combat are worthy ones. This Declaration of Policy that affirms them is repealed by the pending right to work legislation. Nothing replaces it. One can be neutral on right to work and still feel that such a repeal is unfortunate.

The mission statement of the UW System found in section 36.01(2) articulates what is known as "The Wisconsin Idea." Among other things, it commits the UW to extending knowledge and the application of that knowledge beyond the limits of its campuses and to instruction, research, training and public service designed to educate people and improve the human condition.

This vision, now a century old, was truly visionary. Our ancestors could have bequeathed us a traditional “ivory tower” accessible only to elites and cloistered in a tight community. Instead, they gave us a world class university, open to all, whose boundaries are not that of the campus, but those of the entire state. And all Wisconsin is the richer for it.

This mission statement is also up for debate in 2015.

Statutes like the two described above may not offer specific requirements as to conduct. They do provide, however, windows into the values and aspirations of the people who enacted them.

History has looked kindly on the legacy of these two statutes. Time will only tell how it views whatever is or is not put in their place.

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