SUPREME COURT OF THE UNITED STATES

No. 93–986

JOSEPH McINTYRE, EXECUTOR OF ESTATE OF MARGARET McINTYRE, DECEASED, PETITIONER *v.* OHIO ELECTIONS COMMISSION

ON WRIT OF CERTIORARI TO THE SUPREME COURT OF OHIO

[April 19, 1995]

JUSTICE GINSBURG, concurring.

The dissent is stirring in its appreciation of democratic values. But I do not see the Court's opinion as unguided by "bedrock principle," tradition, or our case law. See *post*, at 8, 5–9, 9–11. Margaret McIntyre's case, it seems to me, bears a marked resemblance to Margaret Gilleo's case[1] and Mary Grace's.[2] All three decisions, I believe, are sound, and hardly sensational, applications of our First Amendment jurisprudence.

In for a calf is not always in for a cow. The Court's decision finds unnecessary, overintrusive, and inconsistent with American ideals the State's imposition of a fine on an individual leafleteer who, within her local community, spoke her mind, but sometimes not her name. We do not thereby hold that the State may not in other, larger circumstances, require the speaker to disclose its interest by

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[1] See *City of Ladue* v. *Gilleo*, 512 U. S. ___ (1994), in which we held that the City of Ladue could not prohibit homeowner Gilleo's display of a small sign, on her lawn or in a window, opposing war in the Persian Gulf.

[2] Grace was the "lone picketer" who stood on the sidewalk in front of this Court with a sign containing the text of the First Amendment, prompting us to exclude public sidewalks from the statutory ban on display of a "flag, banner, or device" on Court grounds. *United States* v. *Grace*, 461 U. S. 171, 183 (1983).

disclosing its identity. Appropriately leaving open matters not presented by McIntyre's handbills, the Court recognizes that a State's interest in protecting an election process “might justify a more limited identification requirement.” *Ante*, at 19. But the Court has convincingly explained why Ohio lacks “cause for inhibiting the leafletting at issue here.” *Ibid*.