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Money and Politics

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With another election under our belts in which the Big Spenders were also the Big Winners, it seems time to ask once again, “How long will we continue to settle for *Democracy to the Highest Bidder?*” When elections are decided more on the basis of how much money a candidate can raise and spend than on issues of substance, we must begin to explore ways to reclaim the democratic process for voters, and not for big financial donors.

Political commentators have long recognized the unsavory impact that money often has on the political process. With campaign costs skyrocketing, legislators or would-be legislators are forced to make appeals to “fat cats,” special interests, and Political Action Committees (PAC’s) for campaign contributions.

All too often, the contributions come with strings attached. While there may not always be a direct *quid pro quo* relationship between contributions and votes, the pressure to “vote where the money is” is enormous.

How do we deal with this problem?

Several attempts have been made to control the impact of money on the political process, the most noteworthy being the *Federal Election Campaign Act of 1971*, with its 1974 and 1976 amendments.

These efforts were designed to control the amount of money which went into political campaigns by calling for disclosure of the source of contributions, placing limits on the amount individuals and PAC’s could contribute, and limiting spending in campaigns.

In spite of these efforts, campaign reform has failed. We spend more money than ever on campaigns, and the impact of money on political decisions has grown, not diminished, since the reform efforts of the early 1970’s.

Part of the reason is that in 1976, the Supreme Court, in *Buckley Versus Valeo*, struck down as unconstitutional a key provision of the campaign reform law. That decision removed the spending limitation from the law because the court maintained that such a restriction violated free speech. The spending limitation was a vital part of the law. Finding it to be in violation of the Constitution seriously weakened the law’s impact. The court did, however, allow for the limitation of contributions by individuals or groups to candidates.

How, then, do we both guarantee free speech and control campaign spending?

A possible solution rests on the following method.

We must protect free speech. If the court maintains that money (or the spending of it) is a form of political speech (a dubious claim but one which the court insists on maintaining), we must be careful not to restrict the right of individual political expression.

But one man, one vote is also a constitutionally protected right, and, therefore, the Congress can pass a law that allows candidates to accept money only from individuals and groups residing in the state or district that the candidate seeks to

represent.

Therefore, if Smith seeks a seat in the House of Representatives from district Number 1 in state X, he can collect campaign contributions only from those he wishes to represent. After all, why should someone from another district or state be allowed to influence the choice of a legislator in a different district? Only the voters in the district itself should have that right.

And, since the court has already decided that we can limit the amounts of contributions, we should keep these limitations on the books. Since we do not allow individuals residing in one district to vote in another, why should we allow them the opportunity to influence the outcome of another district by giving money to a candidate? Campaigns should be funded only from within the district or state. Granted, some districts are more prosperous than others, but that reinforces the strength of this new plan. Why should wealthy interests from one district influence the vote in a poorer district?

Does this restrict free speech? It does not prevent the right of citizens in a state or district from exercising their right to contribute to the campaign of any candidate within their district. Therefore, it allows for free speech as interpreted by the Supreme Court.

It does, however, prohibit people residing in other states and districts from interfering in another race.

Groups would be affected by this new law in the following manner. A Political Action Committee could only contribute to a campaign in one state or district, namely, the state in which its main operating base is located. This would limit the volume of special interest money in the political process, but still allow PAC's to express their preferences through campaign contributions.

Is this a panacea? Probably not. For every campaign reform that is passed, determined and industrious people will find a loophole or two to drive through.

Will Rogers once said, "I think I can say with some pride that we have the best Congress money can buy," and Mark Twain boasted, "Our Congress brings higher prices than legislatures anywhere in the world."

Having a political process which goes to the highest bidder diminishes democracy and does harm to the bond which exists between citizen and state. Ours should be a system based on political equality, not checkbook power.