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[Maine Voices: No good answers to conflict over free speech, campaign funding](#)

Civil liberties concerns are powerful, but an answer to the imbalance of funds is needed right away.

NORTH YARMOUTH - Last month I was honored to receive the Louis Scolnik award from the Maine Civil Liberties Union. Justice Scolnik was one of my heroes and was a model for me in my legal career.

Over the 44 years that I have been a member of the MCLU and the American Civil Liberties Union, I have found myself supporting all of the positions taken by both organizations -- with one notable exception.

That is the issue of placing limits on election campaign expenditures.

For years, both organizations have opposed all restrictions on campaign spending and contributions.

A little more than a year ago, the ACLU finally updated its campaign finance position to endorse reasonable contribution limits and voluntary public funding systems like Maine's. That's a start. But the position opposing all restrictions on expenditures must be re-thought with the future of our democracy in mind.

I am troubled to watch national and state elections become so greatly dominated by the big-moneyed interests and their issue ads.

Equally troubling to me is the power that corporate lobbyists have gained in Congress through their ability to generate large amounts of money for re-election campaigns. Regrettably, today's legislators find that they must spend up to one-half their time raising money, rather than considering the pressing issues facing our country.

As has oft been said, we now have the best Congress that money can buy.

The various efforts to limit the power of money and its influence on political activity, such as the McCain-Feingold campaign finance law, inevitably impose limitations on the right of free speech to some extent.

As a result, the ACLU has consistently argued against these measures.

They were key supporters of the Buckley v. Valeo decision of 1976, and also endorsed the Citizens United decision of last year.

That decision has opened up an even greater flood of corporate and special-interest television advertising during the recent election cycle, and it is widely predicted that this trend will continue unabated.

I understand why the ACLU has chosen to oppose restraints on political advertising, but I greatly regret the effect these decisions have had on the electoral process and on the way our government works.

A better balance must be found, one that preserves core First Amendment free speech rights during elections, while also imposing reasonable limits on the obscenely large expenditures of money for campaign advertising.

Otherwise, average citizens will have less and less influence on congressional lawmakers, and Washington will be even more totally run by large moneyed interests.

I believe this is one of the greatest challenges faced by our country in the coming decade -- how to find a way to support the rights of free speech in election campaigns, and still put limits on the powers of the corporate lobbyists that result from their ability to influence elections.

I don't have a good answer to this dilemma. I wish I did.

Maine's Clean Elections process comes as close as anything, which is why I have put much of my energy into preserving and promoting it in recent years.

But a really good answer, one that is national in scope and goes beyond how individual candidates fund their campaigns, must be found soon. And it should be one that is fully espoused by the ACLU.

Roger Baldwin, the founder of the ACLU, said, "So long as we have enough people in this country willing to fight for their rights, we'll be called a democracy."

I doubt that Roger Baldwin could have predicted that citizens one day would be fighting to preserve their rights in the most fundamental democratic institution -- elections -- while the corporations would be fighting for the right to influence those same elections, and further that somehow the courts would not be able to differentiate between these two claims.

I firmly believe that without some mechanism to limit the influence of money on our political system, and especially corporate money, the capacity and willingness of ordinary citizens to fight for their rights will be nothing but a quaint vestige of our country's 200-year history of self-governance.

This challenge -- protecting the rights of free speech while also limiting the influence of money on the political system -- is fundamental to the ultimate success of our political system.

This is a worthy priority for the current generation of civil libertarians. I hope they will embrace it.

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