

Voters have a right to know political donors

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An appeals court this week upheld Maine's campaign disclosure law that requires a national anti-gay-marriage group to release its donor list.

Although the group, the National Organization for Marriage, plans to appeal to the U.S. Supreme Court, this is an important ruling on the side of full disclosure.

NOM has sought to shield its donors through lawsuits – and appeals – because they say releasing the donor list would stymie free speech.

But in other political campaigns, groups are required to report this information once a donation reaches a certain dollar amount. If these people do not want their identity revealed, they can make a donation below the level that is required for reporting.

In Maine, it would seem, we do not have a problem with free speech – as exercising one's right to vote would be included in "speech." People here are continuing their right to "speak" through turning out at the polls – rather than donating large sums of money to political action committees in other states.

In 2004, 73 percent of Mainers voted, and in 2008, 71 percent voted, compared with a national average of about 63 percent for both years, according to the U.S. Census Bureau. The state also boasts one of the highest voter registration rates in the country, at about 79 percent. That doesn't sound like stymied free speech.

Maine voters have the right to know who is backing each campaign and candidate in order to make the best decision possible.

The lawyer representing the NOM, James Bopp Jr., said in an interview with the Associated Press this week, "We already know that the homosexual lobby has launched a national campaign of harassment and intimidation against supporters of traditional marriage, so there's a good reason to keep these names confidential."

However, it is easy to imagine Bopp's definition of a national campaign of harassment and intimidation against supporters of same-sex marriage would exclude the barrage of misleading television ads about how gay marriage would be taught in schools, which NOM helped fund in this state back in 2009. But that's just what "traditional marriage" supporters did.

The attack ads and the antagonistic discourse is likely to continue on both sides in these campaign – and others – long into the future, but that does not change the fact that people have a right to know who is bank-rolling campaigns.

As the NOM continues to drag out the appeals process, we hope the Supreme Court will uphold the earlier decisions on the side of disclosure, and when the decision is final, the Maine Commission on Governmental Ethics and Election Practices should make the list of donors public.

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Today's editorial was written by City Editor Robyn Burnham on behalf of the Journal Tribune Editorial Board. Questions? Comments? Contact Managing Editor Kristen Schulze Muszynski by calling 282-1535, Ext. 322, or via email at kristenm@journaltribune.com.