



CAMPAIGN FINANCE REFORM CORRUPTS GEORGE WILL

Campaign finance reform is what it pretends to combat: corruption.

Let me say that again, slightly rephrased: campaign finance reform corrupts the political system it presumes to save from corruption.

Now that I've taken the trouble to repeat myself, you may be shaking your head, wondering how I could be so... wrong. Don't we want to "get money out of politics?" Isn't campaign finance reform an inherent good? The late Senator Eugene McCarthy, the iconic liberal politician of the Vietnam War era, didn't think so.

McCarthy, a Democrat who represented Minnesota in the Senate from 1959 to 1971, did something unthinkable in 1968. Because of his opposition to the Vietnam War, he challenged a powerful, incumbent President for his party's presidential nomination.

His challenge to President Lyndon Johnson was possible – and potent – only because five wealthy liberals who shared McCarthy's opposition to the Vietnam War gave him substantial sums of money. Stewart Mott's \$210,000 would be \$1.4 million in today's dollars. The five donors' seed money enabled McCarthy to raise \$11 million dollars or \$75 million dollars today.

But, because of campaign finance reform, the most a wealthy quintet could give to help an insurgent against an incumbent today would be \$13,000 (five times the individual limit of \$2,600). McCarthy didn't win the nomination, but he did compel Johnson not to run for a second term. In doing so, McCarthy changed history. But the Democratic Party establishment wasn't happy about it. To stop it from happening again, they pushed for government regulation of political speech. Thus in reaction to Eugene McCarthy's insurgency, campaign finance reform was born. Not much has changed since then.

Whatever their stated intentions, campaign finance laws are not written to protect the public from corrupt politicians, they are written to protect incumbents from anyone who might challenge them. So, not only doesn't campaign finance reform disrupt the status quo; it encases it in cement.

All the laws that ever have regulated campaigns, or ever will regulate them, have had or will have one thing in common: They have been, or will be, written by incumbent legislators. That is why such laws are presumptively disreputable and usually unconstitutional.

But, reformers shout, politicians are bought and sold by big money interests, and we have to

stop this.

These reformers argue two propositions.

One is that corruption is so pervasive and so subtle that it is invisible.

They resemble the zealots who say proof of the conspiracy to assassinate President Kennedy is the fact that no proof has been found.

Alternatively, reformers argue that corruption is entirely visible everywhere: If politician A votes in a way that pleases contributor B — particularly if contributor B enjoyed “access” to politician A — that shall be designated corruption.

But there is abundant research demonstrating that money almost always moves toward the politician with whom the contributor already agrees. In other words money is rarely given in order to change a politicians’ votes; it is given in order to support politicians who already vote the way donors want them to.

Nevertheless, reformers increasingly argue (see their justifications for restricting political action committees or PAC’s) that regulating the timing, amount and content of political advocacy is necessary to improve the tone of politics.

These reformers apparently think that what James Madison, the author of the Bill of Rights, meant when he wrote: “Congress shall make no law abridging freedom of speech,” was really “Congress shall make no law abridging freedom of speech – unless incumbents think abridgements will help keep them in office.”

Even if it were Congress’s business to decide that there is “too much” money in politics, what does “too much” mean?

In the 2007-08 election cycle, spending in all campaigns, from city council members up to the presidency, was \$8.6 billion, about what Americans spend annually on potato chips.

Reformers say that regulation of campaign giving and spending will not only spare our leaders the distraction of the governed – that is, seeking “undue” influence on government, it also will make us think better of government.

But a jaundiced view of government is often sensible, and certainly it is justified by all these campaign regulations, which have become a particularly virulent form of the disease it purports to cure.

So, let me repeat myself a third and final time: Campaign finance reform is what it pretends to combat: corruption.

I’m George Will for Prager University.