

Money in Politics Study - I

This is the first in a series of three articles on money in politics.

SWSCV has joined other Leagues across the nation in a study of Money in Politics in order to update the League's position on campaign finance. That position, as announced in January 1974 and revised in March 1982, is *The League of Women Voters of the United States believes that the methods of financing political campaigns should ensure the public's right to know, combat corruption and undue influence, enable candidates to compete more equitably for public office and allow maximum citizen participation in the political process.* Sunshine laws have been one approach to ensuring the public's right to know, whereby requirements are set for disclosure of campaign contributions and expenditures.

Money in politics matters because the goal of campaigning is to inform and respond to voters in order to convince them to be either for or against a candidate or issue. Thus, campaigning is ultimately about communication. In the modern campaign, this necessitates speech and requires money.

For almost 40 years the Supreme Court's approach and the League's approach intersected in one important aspect. The Court recognized the risk that campaign contributions can be or appear to be corrupting, especially if those contributions are very large. As a result, contribution limits and the exclusion of corporations from participating directly in the political process have been upheld. That changed with the Supreme Court's 2010 decision entitled *Citizens United v. Federal Election Commission*. The Court drastically extended its views on free speech to allow unlimited independent spending in candidate elections by corporations and unions. Additionally, Court decisions have enabled the identity of donors to be shielded through super PACs. The impact has been to radically transform the election landscape.

In updating the League's position, it is important to develop member understanding and agreement on the extent to which financing a political campaign is protected speech under the First Amendment. Thus the study and consensus process will consider: (1) the rights of individuals and organizations, under the First Amendment, to express their political views through independent expenditures and through financing of election campaign activities; and (2) how those rights, if any, should be protected and reconciled with the interests set out in our current position.

Please mark your calendar and prepare to be a part of this important decision with the Southwest Santa Clara Valley League. The Money in Politics Consensus Meeting will be held: **Saturday, January 16, 1:00 – 4:00 pm, West Valley College, Campus Center, 14000 Fruitvale Ave. Saratoga.** Excellent resources and additional information are available at the LWVUS web site: <http://forum.lwv.org/category/member-resources/our-work/money-politics-review>. The SWSCV's Money in Politics Study Committee is composed of Danice and Tom Picraux (co-chairs), Liz Gibbons, Meg Giberson, Dale Hill, Emily Lo, Cherri Nelson, Marico Sayoc, and Patty Weber. To be included or learn more about the study please contact Danice and Tom Picraux at dpicraux@gmail.com or (408) 356-8129.