

EXPRESSION VS. EQUALITY

The Politics of Campaign Finance Reform



J. TOBIN GRANT THOMAS J. RUDOLPH

Expression Vs Equality The Politics Of Campaign Finance Reform

Burt Neuborne



Expression Vs Equality The Politics Of Campaign Finance Reform:

Expression Vs. Equality J. Tobin Grant, Thomas J. Rudolph, 2004 In *Expression vs Equality* J Tobin Grant and Thomas J Rudolph argue that although public opinion plays a vital role in judicial rulings on the legalities of various finance reform options political scientists have yet to realize fully the complexities and nuances of public attitudes toward campaign financing The issue of campaign finance reform exposes a real conflict between the core democratic values of equality and expression Economic inequalities reformers argue allow certain groups and individuals to exert undue influence in the political process thereby threatening the democratic value of political equality Opponents tend to frame the issue as a question of free speech restrictions on campaign contributions are viewed as a threat to the democratic value of political expression In the context of campaign finance how do committed Americans rank the importance of equality and expression How do they resolve the conflict between these competing democratic values The answers to these questions say the authors depend heavily on whose influence and whose rights are perceived to be at stake Using a series of unique experiments embedded in a national survey of the American electorate they find that citizens commitment to the values of expression and equality in the campaign finance system is strongly influenced by their feelings or affect toward those whose rights and influence are perceived to be at stake Freedom of speech is more highly valued in contexts where the respondent agrees with the issue in question equity on the other hand is more highly valued when the respondent disagrees with the issue These findings have implications not only for the continuing public debate over campaign finance reform but also for our understanding of how citizens make tradeoffs between competing democratic values

[The Fundamentals of Campaign Finance in the U.S.](#) Diana Dwyre, Robin Kolodny, 2024-07-23 Before the U S campaign finance system can be fixed we first have to understand why it has developed into the system as it exists today The nature of democracy itself the American capitalist economic system the content of the U S Constitution and how it is interpreted the structure of our governmental institutions the competition for governmental power and the behavior of campaign finance actors have all played a role in shaping the system The Fundamentals of Campaign Finance in the U S takes care to situate the campaign finance system in the context of the broader U S political and economic system Dwyre and Kolodny offer readers a brief tour through the development of the campaign finance regulatory structure highlighting the Supreme Court s commitment to free speech over political equality from *Buckley v Valeo* 1976 through the passage of the Bipartisan Campaign Reform Act BCRA 2002 They also examine the driving force behind campaign finance reform corruption through historical transactional and institutional perspectives While diving into the insufficiency of the disclosure and enforcement of campaign finance laws and calling attention to multiple federal agencies including the Securities and Exchange Commission the Federal Communications Commission the Internal Revenue Service and principally the Federal Election Commission the authors show how a narrow view on campaign finance makes change difficult and why reforms often have limited success By examining the fundamentals

Dwyre and Kolodny show the difficulties of changing a political system whose candidates have always relied on private funding of campaigns to one that guarantees free speech rights while minimizing concerns of corruption The Oxford Handbook of the American Congress Eric Schickler, Frances E. Lee, 2013-03-14 No legislature in the world has a greater influence over its nation's public affairs than the US Congress The Congress's centrality in the US system of government has placed research on Congress at the heart of scholarship on American politics Generations of American government scholars working in a wide range of methodological traditions have focused their analysis on understanding Congress both as a lawmaking and a representative institution The purpose of this volume is to take stock of this impressive and diverse literature identifying areas of accomplishment and promising directions for future work The editors have commissioned 37 chapters by leading scholars in the field each chapter critically engages the scholarship focusing on a particular aspect of congressional politics including the institution's responsiveness to the American public its procedures and capacities for policymaking its internal procedures and development relationships between the branches of government and the scholarly methodologies for approaching these topics The Handbook also includes chapters addressing timely questions including partisan polarization congressional war powers and the supermajoritarian procedures of the contemporary Senate Beyond simply bringing readers up to speed on the current state of research the volume offers critical assessments of how each literature has progressed or failed to progress in recent decades The chapters identify the major questions posed by each line of research and assess the degree to which the answers developed in the literature are persuasive The goal is not simply to tell us where we have been as a field but to set an agenda for research on Congress for the next decade The Oxford Handbooks of American Politics are a set of reference books offering authoritative and engaging critical overviews of the state of scholarship on American politics Each volume focuses on a particular aspect of the field The project is under the General Editorship of George C Edwards III and distinguished specialists in their respective fields edit each volume The Handbooks aim not just to report on the discipline but also to shape it as scholars critically assess the scholarship on a topic and propose directions in which it needs to move The series is an indispensable reference for anyone working in American politics General Editor for The Oxford Handbooks of American Politics George C Edwards III

The Deregulatory Moment? Robert G Boatright, 2015-10-22 For those who assume that increased regulation of political spending is inevitable in democratic nations recent developments in U S campaign finance law appear puzzling Is deregulation exemplified by the U S Supreme Court's decision in *Citizens United v FEC* a harbinger of things to come elsewhere or further evidence that the United States remains an anomaly In this volume experts on the United States Canada Great Britain Australia Germany Sweden France and several other European nations explore what deregulation means in the context of political campaigns and demonstrate how such comparisons can inform the study of campaign finance in the U S Whereas the contributors do not settle on any single theory of change in campaign finance law or any single perspective on the relationship between changes

seen in the U S and those in other nations over the past decade they do concur that the U S is rapidly retreating from the types of regulations that defined campaign finance law in most democratic nations during the latter decades of the twentieth century By tracing and analyzing the recent history of regulation the contributors shed light on many pressing topics including the relationship between public opinion and campaign finance law the role of scandals in inspiring reform and the changing incentives of political parties interest groups and the courts Guide to U.S. Elections Deborah Kalb,2015-12-24 The CQ Press Guide to U S Elections is a comprehensive two volume reference providing information on the U S electoral process in depth analysis on specific political eras and issues and everything in between Thoroughly revised and infused with new data analysis and discussion of issues relating to elections through 2014 the Guide will include chapters on Analysis of the campaigns for presidency from the primaries through the general election Data on the candidates winners losers and election returns Details on congressional and gubernatorial contests supplemented with vast historical data Key Features include Tables boxes and figures interspersed throughout each chapter Data on campaigns election methods and results Complete lists of House and Senate leaders Links to election related websites A guide to party abbreviations **Covering American Politics in the 21st Century** Lee Banville,2016-12-12 This encyclopedia provides a real world guide to American political journalism and news coverage in the 21st century from the most influential media organizations and pundits to the controversies and practices shaping modern day political journalism Over the last 20 years political campaigns and the media that cover them have been fundamentally altered by a mix of technology and money This timely work surveys the legal financial and technological changes that have swept through the political process putting those changes in context to help readers appreciate how they affect what the public learns and doesn t learn about the candidates and lawmakers at the local state and federal levels The encyclopedia offers a critical examination of a broad range of topics organized in a narrative A to Z format Written by journalists and political experts the two volumes cover the major issues organizations and trends affecting both politics and the coverage of political campaigns Some 200 entries treat everything from news organizations think tanks and significant individuals to questions concerning money advertising and campaign tactics Objective unbiased and comprehensive the encyclopedia is an unequaled resource for anyone seeking to understand American political journalism and news coverage in the 21st century **Handbook on Politics and Public Opinion** Rudolph, Thomas J.,2022-08-18 Examining the nature of public opinion in democratic societies this Handbook succinctly illustrates the importance of public opinion as an instrument of popular control and democratic accountability Expert contributors in the field provide a thorough review of a variety of theoretical and methodological approaches to the study of this timely topic **Why Washington Won't Work** Marc J. Hetherington,Thomas J. Rudolph,2015-09-14 Major polls all report that trust in government is at an all time low in the United States At the same time polarization is at an all time high Hetherington and Rudolph s timely book demonstrates a direct link between polarization and the decline of political trust in America And it s

not just legislators and party leaders who are polarized but ordinary Americans Drawing on a cornucopia of evidence and data the authors show that since the early 2000s polarization in the electorate has increasingly been rooted not in ideological or policy differences but for the first time in extremely negative feelings toward the other party To an unprecedented degree Republicans and Democrats simply do not like each other These polarized feelings are central to why trust in government has polarized which in turn is central to why Washington won't work On most issues presidents and other party leaders can convince their own party faithful in the electorate to support their positions In order to pass legislation however a public consensus is needed to push policymakers toward action Some proportion of the out party partisans and independents have to have enough trust in government to make an ideological sacrifice and form that consensus As the authors persuasively explain this is no longer occurring Far from being a long term and relatively stable psychological trait political trust is highly variable and contingent Whether or not one trusts government will vary depending on whether one's party is in control what part of government one is referring to and what policies or events are most salient Political trust increases for example when the public identifies international issues as most important as during the 1950s and 60s They also find that the effects of economic performance on political trust are asymmetric weak economies harm trust more than strong economies help it Ultimately Hetherington and Rudolph have to conclude that it is unlikely political trust will ever to return to 1960s levels a high point in the US for any length of time unless international concerns again dominate politics and just as important the economy becomes consistently strong

Corruption in the Contemporary World Jonathan Mendilow, Ilan

Peleg, 2014-09-17 This book deals with large scale systemic corruption a phenomenon that it identifies as part of the political landscape in most if not all societies of the contemporary world While the analysis is grounded in the political thought of earlier thinkers especially Edmund Burke and integrates the insights of several modern analysts of corruption the volume offers a new updated theoretical perspective on the topic This perspective reflects deep concerns with corruption in a world facing accelerated social transition increased economic polarization and growing distrust toward political elites in many countries This book approaches corrupt practices both theoretically and empirically offering the perspectives of scholars who come to the topic from different traditions and cultures It contains the collective efforts of members of the Research Committee on Political Finance and Public Corruption of the International Political Science Association In formulating a comprehensive approach on corruption the volume offers insights in regard to new developments in the United States in Middle Eastern countries especially in the wake of the Arab Spring in several European countries Austria Italy Spain as well as in the People's Republic of China The analysis goes beyond the traditional legal definitions of corruption or purely economic views of it and focuses more broadly on institutional cultural and normative dimensions of this globally important phenomenon

Encyclopedia of U.S. Campaigns, Elections, and Electoral Behavior Kenneth F. Warren, 2008-04-04 Overall a first rate resource and yes pleasantly readable School Library Journal The Encyclopedia of U S Campaigns Elections and

Electoral Behavior covers virtually everything one would want to know about American political campaigns. With more than 450 entries, these two comprehensive volumes present a significant array of topics of campaigns, elections, and electoral behavior. The encyclopedia's diverse content shows that although the subject matter of campaigns, elections, and electoral behavior is inherently related, each topic has a distinct focus. Key Features: Presents topics in a straightforward, easy-to-understand manner, intentionally avoiding unnecessary technical language. Includes entries written by electoral behavior scholars from around the country. Focuses on American campaigns, elections, and electoral behavior but also provides a culturally and politically diverse perspective of American democratic practices and institutions. Offers a rich campaign history by looking at many colorful candidates, corrupt yet intriguing political machines, rapidly changing technologies, campaign organizations, and strategies. Provides a description and scholarly analysis for all presidential elections, including state and general elections. Presents and simplifies complicated election laws that govern federal, state, and local elections. Examines various efforts throughout the decades to reform elections, especially from social upheaval and the resulting political realignments. Includes extensive electoral research into the development of political opinions, attitudes, and ideologies in American voters. Key Themes: Ballot Issue, Campaigns, Elections, and the Law, Corruption in American Campaigns and Elections, Electoral Behavior of Various Groups, Local Campaigns and Elections, Media's Role in American Campaigns and Elections, People, Political Parties, Interest Groups, and American Campaigns and Elections, Political Theory and Democratic Elections in America, Polls, Public Opinion, and Campaigns and Elections, Presidential Campaigns and Elections, Reforming American Campaigns and Elections, Running Political Campaigns, Management, Organization, and Strategies, Social and Psychological Dynamics of Electoral Behavior, State and Congressional Campaigns and Elections, History and State Profiles. The Encyclopedia of U.S. Campaigns, Elections, and Electoral Behavior is an especially useful reference published to coincide with the 2008 presidential election. This informative yet intriguing resource is a welcome addition to any academic or public library.

Free Speech and Campaign Finance Reform United States. Congress. House. Committee on the Judiciary. Subcommittee on the Constitution, 1997

Campaign Finance & American Democracy David M. Primo, Jeffrey D. Milyo, 2020-11-13 In recent decades, and particularly since the US Supreme Court's controversial *Citizens United* decision, lawmakers and other elites have told Americans that stricter campaign finance laws are needed to improve faith in the elections process, increase trust in the government, and counter cynicism toward politics. But as David M. Primo and Jeffrey D. Milyo argue, politicians and the public alike should reconsider the conventional wisdom in light of surprising and comprehensive empirical evidence to the contrary. Primo and Milyo probe original survey data to determine Americans' sentiments on the role of money in politics, what drives these sentiments, and why they matter. What Primo and Milyo find is that while many individuals support the idea of reform, they are also skeptical that reform would successfully limit corruption, which Americans believe stains almost every fiber of the political system. Moreover, support for campaign finance restrictions

is deeply divided along party lines reflecting the polarization of our times Ultimately Primo and Milyo contend American attitudes toward money in politics reflect larger fears about the health of American democracy fears that will not be allayed by campaign finance reform

Democracy's Meanings Nicholas T. Davis, Keith Gaddie, Kirby Goidel, 2022-08-30 Chapter 1 Introduction Chapter 2 What is democracy definitions and scholarly disagreements Chapter 3 Polling the public about democracy Chapter 4 Creating and validating a typology of democratic meanings Chapter 5 The correlates of the democracy typology Chapter 6 Compromise and representation within the democracy typology Chapter 7 Support for democracy Chapter 8 Democratic norms and the democracy typology Chapter 9 Conclusion

Approaching Democracy Larry Berman, Bruce Allen Murphy, Nadia E Brown, Sarah Allen Gershon, 2021-03-30 From unsubstantiated 2020 election fraud claims and the storming of the US Capitol to the rampage of COVID 19 and racial injustice this book covers the foundations institutions and processes of the great American experiment with a clear and resonant theme Democracy cannot be taken for granted whether at home or internationally and eternal vigilance along with civic intelligence is required to protect it Approaching Democracy provides students with a framework to analyze the structure process and action of US government institutions and social movements It also invites comparison with other countries This globalizing perspective gives students an understanding of issues of governance and challenges to democracy here and elsewhere At a moment of growing domestic terrorism political hyper partisanship populism identity politics and governmental dysfunction there is no better time to bring Approaching Democracy a textbook based on Vaclav Havel s powerful metaphor of democracy as an ideal and the American experiment as the closest approach to it to a new generation of political science undergraduate students

NEW TO THE NINTH EDITION Two new authors Nadia E Brown and Sarah Allen Gershon who bring refreshing intellectual and diverse perspectives to the text Includes the tumultuous political context surrounding the Trump presidency the 2020 elections the 116th Congress the Supreme Court the COVID 19 crisis and the fight for social and racial justice Figures and tables reflect the latest available data and surveys Two new features Diversity and Democracy highlighting the experiences of America s diverse social groups and the role of identity politics and Discussion Questions at the end of each chapter assessing critical thinking skills Critical contemporary events are explored throughout the book including the attempted coup following the 2020 elections the Trump administration s handling of the COVID 19 pandemic Black Lives Matter protests in American cities that come to the epicenter of America s approach to democracy the changes in the Supreme Court and the federal court system the growth of LGBTQ legal rights and the alteration in American Federalism New and updated data on public attitudes toward police brutality DACA voter suppression healthcare and the global climate movement are also covered

Constitutional Issues Raised by Recent Campaign Finance Legislation Restricting Freedom of Speech United States. Congress. House. Committee on the Judiciary. Subcommittee on the Constitution, 2001 Freedom of Speech Eric Barendt, 2005-08-11 This is a fully revised and updated new edition of the classic work first published in 1985 There have

been many important developments since the first edition including enactment of the Charter of Rights and Freedoms in Canada in 1982 the impact of the European Human Rights Convention and the consideration by English courts of judgments of the European Court of Human Rights Social and cultural changes mean that free speech claims are being made in novel contexts to challenge the validity of bans on tobacco advertising to publish kiss and tell stories about celebrities and to resist attempts to regulate the Internet Barendt considers the meaning and scope of freedom of speech How far do free speech and expression clauses protect pornography commercial advertising and public meetings on the streets Does this freedom cover desecration of a national flag Does it include nude dancing Eric Barendt discusses the legal protection of free speech in countries including England the United States including recent decisions of the United States Supreme Court Canada Germany and under the European Human Rights Convention He examines the varied approaches of different legal systems and constitutional traditions to balancing free speech and freedom of the press against rights to reputation and privacy and to copyright and explores the case law in light of the philosophical and political arguments for free speech guarantees

Madison's Music Burt Neuborne, 2011-05-10 A detailed history of the transformation of First Amendment law from one of the nation's foremost civil liberties lawyers The New York Times Are you sitting down It turns out that everything you learned about the First Amendment is wrong For too long we've been treating small isolated snippets of the text as infallible gospel without looking at the masterpiece of the whole Legal luminary Burt Neuborne argues that the structure of the First Amendment as well as of the entire Bill of Rights was more intentional than most people realize beginning with the internal freedom of conscience and working outward to freedom of expression and finally freedom of public association This design Neuborne argues was not to protect discrete individual rights such as the rights of corporations to spend unlimited amounts of money to influence elections but to guarantee that the process of democracy continues without disenfranchisement oppression or injustice Neuborne who was the legal director of the ACLU and has argued numerous cases before the Supreme Court invites us to hear the music within the form and content of Madison's carefully formulated text When we hear Madison's music a democratic ideal flowers in front of us and we can see that the First Amendment gives us the tools to fight for campaign finance reform the right to vote equal rights in the military the right to be full citizens and the right to prevent corporations from riding roughshod over the weakest among us Neuborne gives us an eloquent lesson in democracy that informs and inspires In the dark art of lawyering Neuborne has always been considered a white knight New York

Democracy by the People Eugene D. Mazo, Timothy K. Kuhner, 2018-11-29 Thanks to a series of recent US Supreme Court decisions corporations can now spend unlimited sums to influence elections Super PACs and dark money groups are flourishing and wealthy individuals and special interests increasingly dominate American politics Despite the overwhelming support of Americans to fix this broken system serious efforts at reform have languished Campaign finance is a highly intricate and complex area of the law and the current system favors the incumbent politicians who oversee it This

illuminating book takes these hard realities as a starting point and offers realistic solutions to reform campaign finance With contributions from more than a dozen leading scholars of election law it should be read by anyone interested in reclaiming the promise of American democracy

Money in American Politics David Schultz, 2018-06-08 How much does money really matter in American politics A first of its kind reference book this encyclopedia provides the most up to date research and analysis regarding how money affects American campaigns elections politics and public policy Some Americans have come to the conclusion that U S politics is dominated by money that politicians are frequently if not routinely bought and paid for and that the only entities who wield political power are America s monied elite or powerful special interests like big labor or Wall Street But other American citizens believe that proposals to limit the influence of money in politics run counter to the free speech principles enshrined in the Constitution This book will explore this compelling and controversial issue examining where money in American politics comes from where it goes and the impact of all of those millions of dollars on American society The entries objectively cover a breadth of major issues organizations individuals court cases and controversies surrounding the role of money in American politics especially into the most recent events of the 21st century Commentary by leading experts and scholars on American politics assess different aspects of how money is used for political purposes The book explains the current state of knowledge about money in politics including whether contributions and expenditures should be regulated if so how and whether it even matters in terms of impact While intended and written primarily for students at the high school and undergraduate levels *Money in American Politics An Encyclopedia* will also be of interest to general readers and experts looking to better understand how money affects campaigns elections and the making of law and policy in the United States

Money and Free Speech Melvin I. Urofsky, 2005 Money greases the wheels of American politics from the local level to the White House In the 2004 presidential campaign President George W Bush alone raised nearly 400 million in private and public funds nearly twenty times the combined total raised by John Kennedy and Richard Nixon in 1960 to defeat challenger John F Kerry further fueling anxiety over the power of money to dictate political results Melvin Urofsky one of our nation s most respected legal historians takes a fresh look at efforts to rein in campaign spending and counter efforts in the courts to preserve the status quo He offers a thoughtful and balanced overview of campaign finance reform and the legal responses to it from the Progressive era through the Supreme Court s landmark ruling in *McConnell v FEC* 2003 and its impact on the 2004 election Urofsky focuses especially on the 1971 Federal Election Campaign Act and 2002 McCain Feingold or Bipartisan Campaign Reform Act BCRA and on challenges to both in the Supreme Court In *Buckley v Valeo* 1976 the Court upheld contribution limits but struck down expenditure caps on First Amendment grounds In *McConnell* it upheld the key provisions of McCain Feingold In both cases however opponents argued that congressional control of campaign financing was an unconstitutional infringement of the free speech rights of campaign contributors Urofsky deftly steers the reader through this contentious and complex history revealing how both Congress and

the courts have navigated uneasily between the Scylla of potential corruption and the Charybdis of suppressing political speech Ironically despite the Court's decision upholding McCain Feingold the 2004 presidential election was the most expensive in history because as Urofsky notes money is the mother's milk of politics and both candidates and donors will always find ways to keep it flowing His book provides an excellent and succinct guide to the controversies and historical debates emerging from that fact

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