

Bipartisan Campaign Reform Act / Act should be repealed

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Position: Act should be repealed

This position addresses the topic Bipartisan Campaign Reform Act.

For this position

“ Plus, there's a tremendous arrogance in the idea of even trying to determine what speech is legitimate and what is unwanted. Who gets to decide? The answer is simple: Incumbents (a k a congressmen) do. And their only agenda is to hold onto what they've got: their incumbency. Meanwhile, for two elections now (2004 and 2006), grass-roots groups will have gone without their basic constitutional right to criticize their government.”

From Your (Former) Speech Rights, by Ryan Sager (*New York Post*, September 6, 2006) (view)

“ It seems Americans now need permission to speak out on political issues and petition the government. I'd suggest a constitutional amendment protecting those rights, but I thought we already had one.”

From Permission to Speak Freely: The "electioneering communications" ban silences interest groups when their messages matter most, by Jacob Sullum (*Reason*, September 6, 2006) (view)

“ Dunning lobbyists for golf trips to Scotland is corruption. Stashing \$90,000 in a freezer after taking bribes for manipulating bureaucrats is corruption. But spending money to urge people to call a senator is not. What should be on trial is the whole notion that lawmakers can tell citizens what they can and can't say come campaign time.”

From Seeking a right to speak, by Patrick McIlheran (*Milwaukee Journal Sentinel*, September 5, 2006) (view)

“ If the price of restricting "sham" ads is the loss of freedom to express honest political views - the core of the speech protected by the First Amendment - then the price is far too high.”

From Censors holding fast, by Rocky Mountain News editorial board (*Rocky Mountain News*, September 3, 2006) (view)

“ Silencing political opposition is not reform; it's incumbent protection. In any other context, it would be called censorship. In any other country, it would be called repression. And when criticizing leaders is suppressed and campaign speech is regulated, supervised, watched, controlled, authorized or prohibited by an agency of the national government, it's called dictatorship.”

From *Permission To Speak Freely*, by Investor's Business Daily editorial board (*Investor's Business Daily*, September 11, 2006) (view)

“ Yet the real offense here is the provision's underlying assumption - that ads that seek to change voter behavior right before an election are somehow unclean. After all, aren't campaigns all about changing voter behavior? Sadly, a narrow majority of Supreme Court justices missed that point back in 2003, when they affirmed McCain-Feingold's constitutionality.”

From *...And Banning Politics*, by New York Post editorial board (*New York Post*, May 6, 2007) (view)

“ Bloomberg fans might say: "Hey, it's a free country, why shouldn't he be able to blow his money on politics if he wants?" The answer is: He should be. The questions in response should be: Why aren't non-billionaires allowed to do the same thing? And: Why is it only OK when you're making donations to yourself?”

From *Campaign Reform? Try Campaign Inflation*, by Jonah Goldberg (*National Review*, March 28, 2007) (view)

“ Since 2003, when the Supreme Court upheld it, McCain-Feingold has failed spectacularly in its stated goal of reining in fat-cat donors. Yet its uncompromising language has helped to gag practically every other politically active entity--from advocacy groups to labor unions. Now the FEC is being asked to censor another segment of society, the millions of individuals who engage in political activity online.”

From *McCain-Feingold Online*, by The Wall Street Journal editorial board (*The Wall Street Journal*, March 23, 2005) (view)

“ Those without the means to directly participate in political debate ought to have the option of helping out financially those who do. Even in large doses. Doing so is, in effect, an extension of the First Amendment - the heart of democracy. Not until the entire McCain-Feingold bill is struck down will Americans enjoy full freedom of speech.”

From *One Step For Free Speech*, by New York Post editorial board (*New York Post*, June 26, 2007) (view)

“ McCain-Feingold has done nothing to accomplish its stated purpose, that is to keep money out of politics. When the federal government spends \$3 trillion a year, there is no way to "keep money out of politics"; too much is at stake. Money just finds other outlets, and is spent in ways for which no one is accountable. That's no reform at all.”

From *Free speech sanity*, by Rocky Mountain News editorial board (*Rocky Mountain News*, June 26, 2007) (view)

“ Free speech's value is not only a diversity of views; it is also the ability of people to contest those views. The only desirable controls are contribution disclosures. Let people see who's giving to whom. Free speech involves no right to secret speech. Otherwise, recognize that campaign finance "reform" is a dagger in the First Amendment.”

From Unfree Speech, by Robert J. Samuelson (*The Washington Post*, July 4, 2007) (view)

“ But if the court isn't willing to go back to the drawing board, Congress should. An advertisement praising or criticizing a politician — even one seeking reelection — has more in common with the endorsement editorials that appear on this page than it does with the campaign contributions (in hard or soft dollars) that have received only minimal 1st Amendment protection from the courts.”

From Liberate political speech, by Los Angeles Times editorial board (*Los Angeles Times*, January 30, 2007) (view)

“ It seems that, so long as trouble-makers are ready to write up the complaints, the FEC is happy to take any nutball theory for a few spins around the track - no matter how ludicrous the repercussions for free speech in our democracy.”

From A Bumper-Sticker Menace, by Ryan Sager (*New York Post*, January 3, 2007) (view)

“ Amending the already baffling campaign-finance rules from the 1970s, McCain-Feingold's dizzying do's and don'ts, its detailed and onerous reporting requirements of funding sources--which require a dense 300-page book to lay out--have made running for office, contributing to a candidate or cause, or advocating without an attorney at hand unwise and potentially ruinous.”

From Shut Up, They Explained, by Brian Anderson (*The Wall Street Journal*, January 25, 2006) (view)

“ Bauer wonders why, absent a compelling government interest in combating corruption, unregulated speech resulting in influence should be a federal offense. When, as surely it will, the Supreme Court considers that question, it can begin undoing the damage it did at the time it affirmed McCain-Feingold and licensed government to ration political speech.”

From A Retreat on Rationing Free Speech?, by George F. Will (*The Washington Post*, December 31, 2006) (view)

“ McCain-Feingold's backers claimed the law would rein in large donors and facilitate political campaigns that are less expensive, less negative and less influenced by special interests. If that nirvana has arrived, we haven't noticed. Proponents also promised that reform wouldn't hurt the ability of grassroots organizations to run ads that inform the public and hold politicians accountable. The folks at Wisconsin Right to Life beg to differ.”

From McCain-Feingold in the Dock, by The Wall Street Journal editorial board (*The Wall Street Journal*, December 29, 2006) (view)

“ Imagine that, putting quotation marks around "First Amendment rights!" That First Amendment is such a nuisance. Exactly which part of "Congress shall make no law . . . abridging freedom of speech" does Sen. McCain not understand?”

From Taking 'Issue' With Finance Reform, by Investor's Business Daily editorial board (*Investor's Business Daily*, December 27, 2006) (view)

“ Americans spent more than \$61 billion on snack foods in 2005. What's more important - electing a president or another round of Twinkies? In any event, there is no way to limit money in politics; it will find its way in, one way or the other. Best that it be done in the open - with the data on who gave to whom available for instant review on the Internet. As with everything else in politics, sunlight is indeed the best disinfectant. ”

From Cheaper Than Twinkies, by New York Post editorial board (*New York Post*, April 9, 2007) (view)

“ The predictions that arguably did come to pass did so for reasons having little to do with McCain-Feingold. Does anyone really think that grass-roots groups are thriving because of the law and not because of the unprecedented networking power offered by the Internet? Does anyone really think the fact that 28 Republican incumbents (but no Democratic incumbents) lost their House and Senate races last year was because of the law and not because of the GOP's vast, poll-confirmed plunge in popularity? ”

From Don't give up, by The San Diego Union-Tribune editorial board (*The San Diego Union-Tribune*, April 5, 2007) (view)

“ Officeholders have no right to insulate themselves from criticism for even a single day, let alone 200. If the First Amendment means anything, it ought to mean that a nonprofit membership organization such as Wisconsin Right to Life can speak freely about politicians and issues -- especially close to an election. The right to do so is central to the First Amendment and fundamental to the maintenance of a healthy democracy. ”

From McCain-Feingold and free speech, by Bradley A. Smith, Stephen M. Hoersting (*The Washington Times*, April 25, 2007) (view)

Against this position

“ Unlimited soft-money checks were a corrupting influence; they needed to be done away with no matter the impact on the political parties. That soft money could be abolished and the parties remain a vibrant political force is a double benefit. ”

From Campaign Finance Success, by The Washington Post editorial board (*The Washington Post*, November 3, 2006) (view)

“ And the law has been an undisputed success in combating the corruption of huge soft-money contributions and an apparent success in re-energizing grass-roots supporters. ”

From McCain-Feingold is a good start, by Trevor Potter (*Pittsburgh Tribune-Review*, July 2, 2006) (view)

“ Chief Justice John G. Roberts Jr., who has celebrated the virtues of precedent and consensus, needs to make sure that the court protects reasonable provisions of McCain-Feingold even as it strikes those that compromise free speech. In particular, it's important that the court preserve reasonable limits on the size of contributions to candidates and parties.”

From *Improve McCain-Feingold*, by Los Angeles Times editorial board (*Los Angeles Times*, April 27, 2007) (view)

“ We thought the law would produce a flowering of grass-roots party activity, a resurgence of small donors and a reduction in the sale of access to elected officials in return for campaign funds -- and a decrease in the shakedowns of donors that this practice induced. But we thought it would take several election cycles for the changes to take root. Instead this happened immediately.”

From *Reform That Has Really Paid Off*, by Norman J. Ornstein, Anthony Corrado (*The Washington Post*, April 1, 2007) (view)

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