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ON THE WEB

In Connecticut: The A.C.L.U. vs. Common Cause

By The Editorial Board
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Advocates for clean government in Connecticut got a year-end bonus. In a welcome decision, U.S. District Court Judge Stefan R. Underhill upheld a state ban on campaign contributions by lobbyists, state contractors, and their families. The state legislature passed the ban in 2006 as an important part of campaign finance reform after a series of scandals toppled mayors, a state senator, and former Gov. John G. Rowland, who went to prison for corruption in 2005. Not surprisingly, the Association of Connecticut Lobbyists fought the ban and is expected to appeal.

The lobbyists have had an ally in this fight — the American Civil Liberties Union of Connecticut. The civil liberties group sees the prohibition on contributions as an infringement on free expression. The ACLU's opposition to the ban has set up a civil war within the public interest community. Common Cause, the good-goverment group, was a key advocate for the campaign finance law several years ago, and it worked non-stop to get Connecticut's General Assembly to pass the nation's third system of state public campaign financing –- after Maine and Arizona. Common Cause felt strongly that without the ban on contributions, any reforms would be mere window dressing. Common Cause and its allies won in the legislature, and the lawsuit challenging the ban's constitutionality was filed soon after. In this battle between the ACLU and Common Cause, we come down firmly on Common Cause's side. We have never agreed with the ACLU that campaign contributions should have the same kind of protection as speech. And we share Common Cause's concern about the way in which money of this sort corrupts politics and government.

In his decision, Judge Underhill pointed out that banning cash contributions is not a "severe" deprivation because of the myriad other ways lobbyists, contractors, and family members can contribute to a campaign. They can volunteer and make phone calls; they can host "meet and greets" that are not fundraisers; they can even run for office themselves. "The rights of political expression," he rightly noted, "remain robust."