

CAMPAIGN FINANCE REFORM SYMPOSIUM

Foreword

On March 6, 1998, it is expected that Congress will vote on legislation that may change the existing system of campaign finance. In an effort to educate our subscribers on this topic of national concern, the *Journal of Legislation* presents this symposium issue on campaign finance reform.

At the heart of the current campaign finance controversy is the debate over "soft money." Soft money generally refers to funds contributed *indirectly* to candidates. The common example is funds raised through the candidate's political party organization for use in party building activities. The perceived problem lies in the fact that these funds are not subject to the candidate contribution and expenditure limits set forth in the Federal Election Campaign Act (FECA). As such, some believe that money siphoned from a political party for use in a candidate's campaign contradicts the purpose and goal of FECA and, possibly, the Supreme Court's holding in *Buckley v. Valeo*.

The core of the soft money debate is presented in the articles authored by Donald J. Simon and Bradley A. Smith. In his article, Mr. Simon calls for a complete "ban on soft money." Mr. Simon traces the roots of the soft money system to the Watergate scandal and cautions against legitimizing "the practices of the 1996 campaign." Prof. Smith, however, reviews case law, paying particular attention to *Buckley* and its progeny, and concludes that "efforts to ban soft money contributions and expenditures for issue advocacy are . . . constitutionally infirm."

The last three articles present varying perspectives on the current debate. Michael S. Dukakis offers the unique first-hand perspective of a candidate and officeholder who was once bound by state and federal campaign finance laws. The former Governor advocates congressional action now—either by establishing a strict system of public financing or by reforming the current laws to promote grass-roots rather than large donor fund-raising.

Craig M. Engle, John DiLorenzo, Jr. and Charles Spies contend that inflation and the increased cost of campaigns have rendered the \$1000 limit on individual campaign contributions unconstitutional because it no longer serves the "narrowly tailored" governmental interest of avoiding corruption.

Finally, Kenneth N. Weine introduces trigger mechanisms as the new frontier in campaign finance reform.

The *Journal* wishes to thank these authors, along with Mr. William P. Marshall, constitutional scholar and White House Counsel, for their contributions to this issue and their participation in the *Journal of Legislation's* Campaign Finance Reform Symposium, held on November 14, 1997.

Journal of Legislation

