

by Terry Michael

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Abramoff: latest enabler of ethics addicts and their assault on political free speech

Add another entry to Jack Abramoff's litany of sin: enabler of the Beltway Ethics Industry's cracked-out addiction to criminalizing political speech.

Stand clear of your mail slots, liberals, progressives and process conservatives. Thanks to Mr. Abramoff, you're about to get a pile from the folks at Common Cause, Public Citizen, and the other self-appointed guardians of proper public discourse. Your \$25 gift will be **URGENTLY! NEEDED** (and probably underlined, with bold-face italics) to finance the latest legislative scheme to remove – once and for all! - the corrupting influence of money from politics.

As we all know, Jack Abramoff would never have duped those poor Native Americans, or corrupted good Christians like Tom DeLay if only....

....your tax dollars were publicly financing all federal election activity, instead of those corrupting checks from self-interested evil-do'ers;

....every breathing being on K street, including mail room guys and parking attendants, were required to register as lobbyists and fully disclose each dime they've received or disbursed since the third grade; and

....those partisan hacks at the Federal Election Commission were replaced by civic-minded eunuchs designated by a non-partisan panel of retired federal judges.

Ethics industry in high dudgeon

As we begin the new year in the ten square miles of surreality known as the District of Columbia, the arbiters of permissible pursuing of political communication are in high dudgeon.

If only we had listened to them, none of this would have happened. It's long past time to get serious and adopt the final solution to congressionally corrupting cash, the Election Lawyers and Accountants Full Employment Act (ELAFEA), to replace FECA and BCRA – which (didn't we all know?) were acronyms far too weak to have any meaningful affect on the corrupting influence of dirty money on clean public policy. ("ELAFEA" has kind of a light Latin-y sound to it; if it doesn't end corruption, it's at least fun to say.)

The problem with our friends who make their livings promoting new and better ethics legislation is that they have too much faith in rules, and too little in voters.

One of the few good things about the mountain of campaign finance and governmental ethics legislation adopted since Watergate is that it has given interested citizens a remarkably transparent window on the sources and uses of money in politics.

You can't legislate morality

When will the good government types, and their hand-maidens at the editorial pages of liberal newspapers, learn that the Jack Abramoff's and Randy "Duke" Cunningham's of the world aren't going to be stopped by an endless expansion of the revised statutes or House and Senate ethics regulations? Jack and Duke did it because they thought they could get away with it, completely aware of the Federal Election Campaign Act and the Bi-partisan Campaign Reform Act, and all the other attempts to legislate morality.

Each new attempt to limit campaign finance and restrict lobbying causes hugely more harm than good, assaulting free political speech in the name of reform.

With the obvious exception of statues against bribery, we should roll back all the campaign contribution and expenditures restrictions; forget the folly of public financing of elections; and halt the criminalization of spending by lobbyists and the receiving of gifts by public officials and their employees.

Replace it all with strict requirements that every dollar given to politicians and every dime they spend be reported, whether it's to their campaign treasuries, their personal bank accounts, their employees, or non-profit entities with which they're involved.

Let democracy work through transparency

Then let democracy work through total transparency. There is endless digital space for storing such financial records and a world wide web available for journalistic and public inspection of them.

Let every interested citizen decide for himself whether cash is causing our public officials to serve themselves and narrow interests, or the public interest. And then throw the bums out – or exercise your democratic right to keep them, if you prefer.

There are a lot of reasons we're getting bad public policy. Government by press release. The rise of the permanent, candidate-centered, poll driven campaign. An irrational political discourse interpreted by verbal food fights on cable-babble. The weakening of our broad-based political parties, which can offset narrower interests. A lack of electoral competition in partisanly and ideologically Gerry-mandered congressional districts. The list can go on.

Cash corruption isn't the problem

But far down on that list is cash corruption. We don't fail to stop elderly entitlements from devouring the federal budget, for example, because the AARP writes checks to congressmen. It happens because greedy geezers want a free lunch, and intellectually corrupt politicians scare them to death and pander to their greed.

Advocates of gun control don't lose their arguments because of NRA donations to legislators, but because – like it or not -- the NRA has a constitutional right to talk to its members, and those members can be mobilized to withhold votes.

Democracy, with unfettered political communication, can be messy. But I have a lot more faith in it than I do in the rules junkies of Washington's ethics industry

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