Resolution Supporting Citizen Involvement in Elections

WHEREAS, it is the mission of the American Legislative Exchange Council (ALEC) to advance the Jeffersonian principles of individual liberty, limited government, free markets, and federalism; and

WHEREAS, the desire of citizens to organize and support candidates of their choice though campaign contributions indicates an engaged citizenry with a clear desire to participate in elections; and

WHEREAS, contributing to candidates is, next to voting itself, the most common way for citizens to be involved; and

WHEREAS, national data indicates that there is no correlation between campaign contributions and the integrity of the political process; and

WHEREAS, the United States Supreme Court has made it clear that the First Amendment protects the rights of individuals to support their own candidacy with their own funds without restriction;

WHEREAS, ALEC supports the disclosure of campaign contributions to candidates, political parties, and political action committees as an effective way to identify potential corruption; and

THEREFORE, BE IT RESOLVED that the American Legislative Exchange Council (ALEC) supports citizen involvement in elections and opposes all efforts to limit such involvement by limiting campaign contributions.

Adopted by the Public Safety and Elections Task Force May 1, 2009.

Approved by the American Legislative Exchange Council’s Board of Directors June 6, 2009.

Center for Media and Democracy’s quick summary:

Despite this Resolution's noble description of “citizen involvement,” this Resolution supports unlimited corporate spending on elections (and opposes legislative efforts to limit it). This Resolution was issued while the U.S. Supreme Court was considering the Citizens United v. FEC case, and before it ordered re-argument and eventually decided to lift all limits on political spending by corporations. This Resolution's reference to “the desire of citizens to organize and support candidates of their choice” is code for “corporate spending” or “third-party spending.” Citizens United lawyers used that language in arguing against corporate spending limits, and the Supreme Court's majority opinion adopted that framing in the decision.

Particularly notable here is the ALEC support for disclosure “as an effective way to combat corruption,” a justification for unlimited spending also adopted by the U.S. Supreme Court. A year after this Resolution (and after the Citizens United decision), ALEC passed the "Resolution in Support of the Citizens United Decision" which expressed opposition to disclosure laws.