

Back to the charter

Dollars and Democracy has prevailed in the courts.

The case for effective reform should return to voters.

For dogged persistence in city politics, it is hard to beat a local coalition of religious and social activists known as Dollars and Democracy. They gained voter passage of a charter amendment in 1998 that set strict limits on contributions to candidates for Akron mayor and City Council, limits that are among the lowest in the country. They have been fighting in the federal courts ever since to secure their victory. They prevailed last week.

When the plan was held up, then gutted by U.S. District Court Judge Dan Polster, Dollars and Democracy went to the federal appeals court in Cincinnati. It won. A week ago, the U.S. Supreme Court declined to review the appeals court decision.

The other side in the legal scrap, a group of current and former City Council members, considered a bid to return to the district court for a full-scale trial. On Friday, with the aid of Judge Polster, they recognized what is plain. The arguments have all been made. There is no startling new evidence. The voters have spoken.

Still, persistence is not necessarily a prelude to clarity. The thinking behind the campaign finance reform amendment has been flawed from the beginning, based on a misguided study that linked donors to contract but did not mention that all but a tiny handful of contracts went to the lowest bidders. At best, the law will be clumsy to enforce. At worst, it could lead to consequences at odds with what reformers had in mind.

Since an alternative plan, with higher limits, has already been adopted by the City Council, the best course of action at this point is to repeal the Dollars and Democracy amendment.

Here is what survived the long battle through the courts: A \$25 limit on cash contributions; limits on all other contributions, monetary, in-kind and loans, from any individual, party or committee, of \$300 for mayoral and at-large City Council candidates and \$100 for ward candidates; a requirement that those who give more than \$50 identify their employer.

What penalties to impose in case of gutted by U.S. District Court Judge violations, among other details, would Dan Polster, Dollars and Democracy have to be worked out by the City went to the federal appeals court in Council in separate legislation.

More telling issues have to do with unintended consequences. Such low campaign contribution limits tend to act as incumbent protection, making it harder for challengers to raise the money needed to unseat officeholders with access to the press and newsletters and community forums.

Reformers wanted to increase the competition, not dampen it.

In addition it is unclear how the charter amendment would affect local political parties, which fall under state law. Summit County Republicans, with events that raise more than \$1 million at a single sitting, could bypass the limits by mounting independent expenditures on behalf of candidates.

How are city officials going to stop a county party from buying Cleveland television time? The question is one of many inviting repeal of the Dollars and Democracy proposal, putting in its place provisions that promise more realistic and effective reform.