

National University of Ireland, Maynooth

From the Selected Works of Seth Barrett Tillman

November 29, 2015

Extract from William J. Rich, Modern
Constitutional Law (3d ed. Supp. Dec. 2015),
citing Tillman's Response to Lessig

Seth Barrett Tillman



Available at: https://works.bepress.com/seth_barrett_tillman/553/

Modern Constitutional Law
Database updated December 2015
William J. Rich
Part II. Speech, Association, and Religion
Chapter 8. Regulation of Speech by Context
III. Regulating Political Campaign Expenditures and Contributions

§ 8:17. Campaign contributions

In contrast, the dissenters focused upon systemic corruption and the appearance of corruption, noting that the latter “can lead the public to believe that its efforts to communicate with its representatives or to help sway public opinion have little purpose.” [FN 11.70]

[FN 11.70]

McCutcheon, 134 S. Ct. at 1467, 188 L. Ed. 2d at 514 (citing Robert Post, *Citizens Divided: Campaign Finance Reform and the Constitution*, 7–16, 80–94 (2014)). See also Lessig, *What an Originalist would Understand “Corruption” to Mean*, 102 Cal. L. Rev. 1 (2014). For a critique of Professor Lessig’s approach, see Seth Barrett Tillman, *Why Professor Lessig’s “Dependence Corruption” is not a Founding-Era Concept*, 13 Election L.J. 336 (2014).