

Citizens United Against Citizens United

By [David Swanson](#)

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Region: [USA](#)

Theme: [Law and Justice](#)

Eighty-five percent of Democrats and 76 percent of Republicans [tell](#) pollsters when [asked](#) that they oppose the Supreme Court's decision in "Citizens United" which lifted limits on corporate political spending. I'm willing to bet that at least those same percentages would tell you the decision violates the U.S. Constitution. And I would bet that if you explained to people that the CU decision was based on the ideas that spending money on elections is speech and that corporations claim the First Amendment right to free speech which was meant for people, the numbers would increase.

Two observations. First, people, Congress, the White House, state governments, corporations, media outlets, and the Federal Elections Commission are, by and large, treating an unpopular and unconstitutional ruling as the law of the land, even though the ruling itself and others like it make amending the Constitution to fall in line with either the popular will or the obvious meaning of the existing Constitution more difficult — yet still [doable](#) and [desirable](#).

Second, if one political party in Washington, no matter which one, moves against the Citizens United ruling, and the other does not, then the followers of those parties across the country will obey the dictates of their rulers exactly as if the polling cited above had never happened. After all, this is what we just witnessed with healthcare. Every Democrat backed a bill that, just by looking at the text of it, one would have guessed was Republican. And every Republican condemned the bill as communism right on cue. Now, anything could happen. The states could lead the way, with voices from both parties, as is beginning. But the likely scenario is, of course, that Democrats in Washington will push minor halfway fixes, and Republicans in Washington will oppose them. So, keep the strength of the polling above in mind, because you will never see the media publish it again.

Meanwhile, the disaster of the Citizens United ruling is [continuing to spread](#). And, for the most part, state governments are working to [conform to the disaster](#). Many states are beginning to [push back](#) in minor ways. Montana is pushing back a little [more strongly](#):

"Montana Attorney General Steve Bullock essentially dared opponents to sue the state, vowing to continue enforcing restrictions on corporate political spending that date back to scandals involving mining interests nearly a century ago. Testifying before Congress in February, Bullock said the state's corporate spending limit 'has served us well and never been challenged.'"

Until now.

"A Denver-based conservative group took up Bullock's challenge this month.

The Western Tradition Partnership joined with a Montana paint company owner in filing a lawsuit in state court challenging Montana's limits on corporate expenditures as an unconstitutional ban on political speech."

Courts across the country are being called into action. Courts across the country are being called into action. Federal court rulings [have decided](#) that there are no limits on corporate spending, but limits still remain on spending by political parties. But those limits will vanish, too, as soon as the case reaches the Supreme Court, also known as [these people](#).

And thanks to the fine work already performed by the Supremes, we may soon see state judges universally cut from [the same](#) corporate cloth. And, as an added improvement, the corporations on whom there are already no limits include the health insurance corporations, which will have hundreds of billions of new dollars coming in by mandated purchase of their products.

Still, even with the current imbalance restricting political parties and not corporations, it is the political parties that [hold the most influence](#). The insurance corporations were not able to buy Democratic congress members away from their party leaders. Nobody votes against war money or anything else, no matter how unpopular, unless their party leaders give them permission.

And yet, when the limits are lifted on parties, the uproar will not match that in response to Citizens United, because very few people will notice that corporate money buys off two parties much more easily than it could buy off 535 independent representatives.

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David Swanson is the author of the new book "Daybreak: Undoing the Imperial Presidency and Forming a More Perfect Union" by Seven Stories Press. You can order it and find out when tour will be in your town: <http://davidswanson.org/book>.

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