

The Supremes Bow to King Corporation

U.S. Supreme Court allows corporations to dominate our corrupted electoral process

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Yesterday's 5-4 decision by the U.S. Supreme Court in *Citizens United v. Federal Election Commission* shreds the fabric of our already weakened democracy by allowing corporations to more completely dominate our corrupted electoral process. It is outrageous that corporations already attempt to influence or bribe our political candidates through their political action committees (PACs), which solicit employees and shareholders for donations.

With this decision, corporations can now directly pour vast amounts of corporate money, through independent expenditures, into the electoral swamp already flooded with corporate campaign PAC contribution dollars. Without approval from their shareholders, corporations can reward or intimidate people running for office at the local, state, and national levels.

Much of this 183 page opinion requires readers to enter into a fantasy world and accept the twisted logic of Justice Kennedy, who delivered the opinion of the Court, joined by Chief Justice Roberts, and Justices Scalia, Alito, and Thomas. Imagine the majority saying the "Government may not suppress political speech based on the speaker's corporate identity."

Perhaps Justice Kennedy didn't hear that the financial sector invested more than \$5 billion in political influence purchasing in Washington over the past decade, with as many as 3,000 lobbyists winning deregulation and other policy decisions that led directly to the current financial collapse, according to a 231-page report titled: "[Sold Out: How Wall Street and Washington Betrayed America](#)" (See: [WallStreetWatch.org](#)).

The Center for Responsive Politics reported that last year the U.S. Chamber of Commerce spent \$144 million to influence Congress and state legislatures.

The Center also reported big lobbying expenditures by the Pharmaceutical Research and Manufacturers of America (PhRMA) which spent \$26 million in 2009. Drug companies like Pfizer, Amgen and Eli Lilly also poured tens of millions of dollars into federal lobbying in 2009. The health insurance industry trade group America's Health Insurance Plans (AHIP) also spent several million lobbying Congress. No wonder Single Payer Health insurance - supported by the majority of people, doctors, and nurses - isn't moving in Congress.

Energy companies like ExxonMobil and Chevron are also big spenders. No wonder we have a national energy policy that is pro-fossil fuel and that does little to advance renewable energy (See: [OpenSecrets.Org](#)).

No wonder we have the best Congress money can buy.

I suppose Justice Kennedy thinks corporations that overwhelm members of Congress with campaign contributions need to have still more influence in the electoral arena. Spending millions to lobby Congress and making substantial PAC contributions just isn't enough for a majority of the Supreme Court. The dictate by the five activist Justices was too much for even Republican Senator John McCain, who commented that he was troubled by their "extreme naivete."

There is a glimmer of hope and a touch of reality in yesterday's Supreme Court decision. Unfortunately it is the powerful 90 page dissent in this case by Justice Stevens joined by Justices Ginsburg, Breyer, and Sotomayor. Justice Stevens recognizes the power corporations wield in our political economy. Justice Stevens finds it "absurd to think that the First Amendment prohibits legislatures from taking into account the corporate identity of a sponsor of electoral advocacy." He flatly declares that, "The Court's ruling threatens to undermine the integrity of elected institutions across the Nation."

He notes that the Framers of our Constitution "had little trouble distinguishing corporations from human beings, and when they constitutionalized the right to free speech in the First Amendment, it was the free speech of individual Americans that they had in mind." Right he is, for the words "corporation" or "company" do not exist in our Constitution.

Justice Stevens concludes his dissent as follows:

"At bottom, the Court's opinion is thus a rejection of the common sense of the American people, who have recognized a need to prevent corporations from undermining self government since the founding, and who have fought against the distinctive corrupting potential of corporate electioneering since the days of Theodore Roosevelt. It is a strange time to repudiate that common sense. While American democracy is imperfect, few outside the majority of this Court would have thought its flaws included a dearth of corporate money in politics."

Indeed, this corporatist, anti-voter majority decision is so extreme that it should galvanize a grassroots effort to enact a simple Constitutional amendment to once and for all end corporate personhood and curtail the corrosive impact of big money on politics. It is time to prevent corporate campaign contributions from commercializing our elections and drowning out the voices and values of citizens and voters. It is way overdue to overthrow "King Corporation" and restore the sovereignty of "We the People"! Remember that corporations, chartered by the state, are our servants, not our masters.

Legislation sponsored by Senator Richard Durbin (D-IL) and Representative John Larson (D-CT) would encourage unlimited small-dollar donations from individuals and provide candidates with public funding in exchange for refusing corporate contributions or private contributions of more than \$100.

It is also time for shareholder resolutions, company by company, directing the corporate boards of directors to pledge not to use company money to directly favor or oppose candidates for public office.

If you want to join the efforts to rollback the corporate concessions the Supreme Court made yesterday, visit Citizen.Org and freespeechforpeople.org.

Ralph Nader is the author of [Only the Super-Rich Can Save Us!](#), a novel.

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