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Cornering the Political Speech Market: Consequences of Corporate Speech Following Citizens United v. Federal Election Commission

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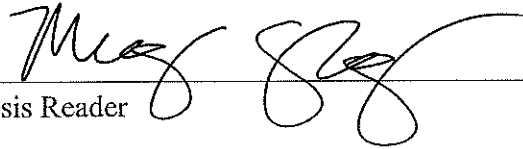
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PREFACE AND ACKNOWLEDGEMENTS

I first read the 2010 case *Citizens United v. Federal Election Commission* during my Constitutional Law class my Sophomore year in college. During class, we talked about the landmark case's implications on campaign finance and its effects on elections. In this thesis, I will provide details about how this case opened the floodgates for unlimited amounts of money (although not directly) to be spent on elections by corporations and labor unions.¹ The Court's decision was based upon the majority's opinion that corporations are people, and that disallowing the use of general treasury funds to voice their beliefs was a violation of their First Amendment rights. I had many questions following our discussion of the case. Particularly, I wanted to understand how corporations came to be considered people under the law. Considering it was a 5-4 decision, I also was not convinced that the case was decided correctly. Finally, as someone who planned to work in politics, I wanted to know how this case impacted elections. Over the last few years, I've seen for myself the effects of this case as I have studied elections and worked directly on national and local campaigns. I have been shocked by the amounts of money spent by candidates, and the frequency and nastiness of the advertisements during election cycles. I have read articles about corporate influence on policy decisions, for example, how gun control laws never pass despite their popular support. As a politics major and future law student, I am intrigued by how

¹ Note: Although corporations and labor unions were affected equally, labor unions do not have nearly the economic capabilities as corporations, and therefore have a much smaller effect on campaigns. Because of this, I will be focus strictly on corporations.

reader, writer, and overall person. I am grateful to have been able to complete such a compelling project.

I also want to thank my fellow Honors students who have been great support along the way. At times when I felt behind the entire class, they encouraged me and provided a source of solidarity. I cherish our four years together and am proud of the accomplishments of every single one of my fellow classmates.

Finally, I want to thank my parents and friends for being sources of encouragement and support. When I had doubts, fears, or concerns, they reminded me of my potential and my worth. An extra thank you to them for listening to me ramble on about *Citizens United* and campaign finance for the last year and reminding me that these topics indeed are not necessarily suitable for social gatherings.

This process has been at times tedious, stressful, and overwhelming. But it has also been incredibly enlightening, fascinating, and rewarding project. I am grateful to be given this opportunity through the Honors Program at Regis University and am excited to present this final product to my friends, family, professors, and any others who have taken time out of their day to read what I have to say.

money is so important to the outcome of elections. Campaign finance includes the raising and spending of money in order to influence the outcome of political elections and/or issue initiatives. There are multiple ways to raise money. First, there are direct donations and expenditures. These are any donations from an individual or group that go *directly* to a candidate's official campaign. This money is heavily regulated, with donation caps and spending restrictions. Another component of campaign financing is "outside spending." This is money that comes from groups that are not affiliated officially with a candidate, but still are used to advocate for a candidate. Outside money is spent in two ways, through independent expenditures and electioneering communications (Center for Responsive Politics). Independent expenditures are advertisements, mail pieces, phone calls, and any other activity that directly advocates for a candidate. Electioneering communications are any broadcast, cable or satellite ads that reach over 50,000 voters and advocate for a specific issue and may mention a candidate's name. However, these types of communications do not call for an individual's election or defeat. These type of communications, although unregulated most of the time, become electioneering communications, and are therefore regulated when they are shown thirty days before a primary election and sixty days before a general election (Center for Responsive Politics). These two types of outside spending activities are directly mentioned in the case, as corporations and unions were banned from these activities before *Citizens United*.

This money spent on elections is powerful. Put simply, the more money a candidate spends (or money is spent on a candidate), the more likely the chance of

With money playing such a huge role in who becomes the next leaders of our nation, it is important to understand how our officials are elected. This publication answers all three of my previously stated questions, and includes an understanding of the case's decision and whether or not it was interpreted correctly. First, I explore the philosophy of freedom on which our Founders based our Constitution and the history of corporations in America. Next, I will unpack *Citizens United* itself and the precedent cases upon which fundamental arguments in the case are made. I will also analyze recent campaign data and how the case has changed politics. Finally, I will use the same reasoning as the majority who believed that disallowing corporations to speak results in the absence of political voices to argue the opposite; that in fact allowing corporations, who should not be granted personhood, to speak politically has resulted in the minimization of individuals' political speech. This minimization has had effects equal to the absence of voices the Majority was concerned about. This absence of individual political speech violates the First Amendment protection to hear all voices. For this reason, I believe the case was incorrectly decided and should be overturned.

Treatises of Civil Government, Locke makes the argument that government is basically a set of laws created to protect individual property (Locke, 96). He emphasized that laws are created to prevent an individual from infringing upon one another's natural derived rights to life, liberty, and property (Locke, 98). Locke believed that governmental power comes directly from the people, and that individuals enter into a social contract to give up certain rights to an authoritative body in exchange for protections and securities. Locke believed that individual interests were important to protect, and saw a just government as being one that protected the rights of minority parties equal to that of majority parties.

The Founding Fathers relied heavily upon Locke's belief that individuals possess natural rights that are the basis for the creation of laws. Preventing the infringement of these rights, as documented in the Declaration of Independence, was a fundamental reason for establishing a new independent government. In the Declaration, the leaders mirrored Locke's language writing, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. — That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed (US, 1776)." The Founders truly believed Locke's philosophy that government was created to protect individual rights and liberties (Love, 14).

Underlying the creation of our nation's government the idea, as stated in the Declaration, government, is created by the people and for the people, and that this is the only way to ensure God-given rights are protected. This directly contradicted the concept of a monarchy that was believed to get its authority directly from God. The Founders wanted

protects free speech in many forms, including the right to political speech. The First Amendment reads, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people to peaceably assemble, and to petition the Government for a redress of grievances (US Const., amend. I).” The First Amendment protects a variety of expressions, including the rights of individuals to speak on a variety of platforms and associate with groups with similar beliefs. But, the right to free speech is not absolute (“First Amendment”). The government is allowed to restrict certain speech if there is a strong governmental interest, such as speech that incites violence or falsely damages one’s reputation. As I will explain later on, the First Amendment has come to be interpreted not just as the right to speak, but the right to hear all voices (Gowri, 1837). As Aditi Gowri explains in her publication “Speech and Spending: Corporate Political Speech Rights under the First Amendment” from the *Journal of Business Ethics*, the right to hear, protected by the First Amendment, is “essential to the pursuit of truth, self-fulfillment, and political participation in a democratic society (Gowri, 1837).” If individuals are kept from hearing some voices, then this would undermine the Founders’ intentions to have a well-informed citizenry fully participate in the electoral process, something that the First Amendment was written in part to protect. If voters are constantly exposed to a small set of beliefs, these come to be seen as the only options. The ability to hear all opinions, even those unpopular, ensures that voters are able to make a well-informed decision on a candidate who represents the ideals they agree with.

number of individuals voting for the representatives that create laws, Madison believed that it would be more unlikely for an unworthy candidate to succeed, since the winner would have to appeal to the most voters. In theory, this would force candidates to walk a more moderate line, because fringe candidates would be easily dismissed by most voters. This, he believed, would also remedy for corrupt elections, understanding the threat that skewed elections posed to the integrity of our nation. He saw how “vicious arts” of elections could make the voting of everyday citizens less free (Madison). He wanted people to freely vote based on the attractive merits of a candidate. This fear about corrupt elections came from common practices at the time when constituencies were much smaller and candidates bribed citizens for their votes. Yet, Madison could not have predicted how money would come to be used in such large quantities, producing the corrupt and distorting results he believed a large republic would prevent. At the time the Federalist Papers were written, campaigning activity was limited and candidates relied little on donations. But, as our nation grew, candidates needed to appeal to a wider constituency. This required traveling further and more often, and distributing more advertising materials to fill in the gaps where the candidate could not appear in person. As methods of transportation and platforms for disseminating information grew, candidates had to compete to dominate the information cycles. This required money. For the first one hundred years of American history, campaign donations from individuals mirrored the Founders’ intentions because personal donations to a candidate were essentially a form of political speech. Since a candidate was still completely reliant on the support of his constituents, the integrity of elections relatively stayed intact (Aloisi).

negative concept of liberty separates liberty from the conditions that support its exercise, which is different from the positive concept of liberty that considers the conditions essential to true freedom. Nonetheless, Berlin ultimately understands that either way you perceive liberty, if the right conditions are not present, liberty is meaningless.

Our nation was founded upon the negative concept of liberty, in that politically, people are free so long as government does not place restrictions upon them. But whether or not the American people adhere to this concept or that of positive liberty, we cannot ignore the concrete effects circumstantial conditions have on the exercise of rights. So whether you conceptualize it as promoting equity so that there is equal exercise of liberty, or as promoting the conditions essential to liberty, some government restriction becomes necessary.

Nowhere has the level of restriction been more hotly contested in the United States than in regards to the First Amendment. Particularly, the right to freedom of political speech has been the cause of controversy as corporations disguised as people began speaking in the political sphere. As corporations began exercising political speech, a debate was ignited over whether corporations should be allowed to exercise this freedom and if this allowance has come to hinder individual political speech.

built, on top of the taxes they paid for land they already owned. The Court ruled in favor of the the Railroad company, in a decision that implied that the equal protection clause of the Fourteenth Amendment applied to corporations (“*Santa Clara County v. Southern Pacific Railroad*,” Oyez). This laid the foundation for subsequent cases in which limitations on corporate rights were struck down based on this precedent.

Yet, up until the 1978 case *First National Bank of Boston v. Bellotti*, corporations were still kept out of participating in or influencing elections. In fact, in 1907, Congress banned corporations from participating in federal elections because of the corruption they had caused in previous campaigns (Totenberg). The legislature understood the direct threat corporations posed to our electoral integrity, but over time, the Courts began to strike down legislation that sought to prevent corporate political involvement. So, over the course of our history, corporations have come to be treated as “natural persons” despite their legal history of existing as “artificial persons” (Boedecker, 43).

So what are the legal and substantive differences between natural and artificial persons that the Courts decided to overlook in *Citizens United* and its precedent cases? While corporations are considered to be “persons” under the law, they have never been treated the exact same way as individual persons. There are two main theories as to how corporations should be treated under law (Krannich, 67). The first is that, since the Courts have determined that corporations are considered legal persons, they should be granted the same rights and privileges because of the 14th Amendment’s equal protection clause (Krannich, 68). Unfortunately, this theory has been put more and more into practice in the last few decades, as courts have been scraping away the legal distinctions between

of many shareholders, or owners, with various views and ideas, whereas, conversely, individuals are singular individuals with one set of views and desires (Boedecker, 37).

What is confusing about the legality of corporate personhood is that its history is filled with contradictions (Gowri, 1835). Those arguing for equal rights for corporations, as if it was a Constitutional guarantee, are ignoring the fact that corporate personhood is not defined in the Constitution. It has become the on-going job of our legislators and courts to determine what rights are and are not granted to corporations. If corporations were to be considered persons, then they would be treated equally to individuals under the law. Yet, corporations are not granted all rights that citizens enjoy. For example, unlike individuals, corporations do not have a right against self-incrimination. I find it problematic for the Courts to pick and choose when corporations are granted Constitutional protections and when they are not. Considering the purpose for the creation of corporate identity as one limited to the specific goal of the company, and factoring in the clear distinctions between individuals and corporations, I believe the Courts have made grave oversteps in the last few decades by allowing corporations in many circumstances, particularly in the arena of political speech in which they have limited or no direct interest, to be treated as persons, especially when legislatures have passed bill after bill to keep corporations from influencing the outcome of elections.

down to whether or not corporations should be considered a “voice.” Because I, and many others, do not believe that corporations are people, I do not believe they have a right to a voice in the political arena. Therefore, there is no loss of freedom when corporations are silenced. Instead, their dominance of the election information cycles results in the minimization of individual voices. As stated before, when a large number of individual speech is unheard, then we are unable to fully exercise our First Amendment right. In the next chapter I will explore the *Citizens United* case to explain how the majority came to allow corporate speech and why I disagree with the reasoning.

Courts and overreached the scope of the case, but because they did not consider the far-reaching impact this case would have on elections in the future.

provisions violated the First Amendment. In *Buckley v. Valeo*, the Court found that direct contribution limits were Constitutional since they upheld the integrity of the democratic system, while resulting in little infringement upon freedom of speech (*Buckley v. Valeo*). But, the Court decided that limits on individual independent expenditures were a violation of the First Amendment because these restrictions did little to reduce the corruption that these laws were trying to prevent and placed heavy restraints of everyday citizens' expression. In other words, the infringement upon free speech that came from these independent expenditure limits was not justified by a governmental interest (*Buckley v. Valeo*). This case set an important precedent about the interpretation of the First Amendment in regards to political speech that was later used in *Citizens United* to justify corporate rights to unlimited expenditures. Yet, the Court in *Citizens United* overreached when applying the *Buckley* case to include corporate rights to free speech. The *Buckley* decision was over the constitutionality of §608(e) which applied only to individuals. The Court did not consider §610 (later codified as §441b, the section in dispute in *Citizens United*) which applies to corporations. Still, many of the basic principles laid out in *Buckley* were used to justify the decision in *Citizens United*. In the *Buckley* opinion, the Court wrote, partially quoting past cases, "But the concept that government may restrict the speech of some elements of our society in order to enhance the relative voice of others is wholly foreign to the First Amendment, which was designed 'to secure 'the widest possible dissemination of information from diverse and antagonistic sources,'" and 'to assure unfettered interchange of ideas for the bringing about of political and social changes desired by the people.' (*Buckley v. Valeo*)." While

speech (*First National Bank of Boston v. Bellotti*). At the Supreme Court level, the majority sided with the First National Bank of Boston and ruled the law unconstitutional. Before this decision, federal law had prohibited corporations from influencing elections. In delivering the opinion of the Court, Justice Lewis F. Powell Jr. argued for the first time in the Court's history that corporations enjoy the same constitutional protections as individual citizens, claiming, "The inherent worth of the speech in terms of its capacity for informing the public does not depend upon the identity of its source, whether corporation, association, union, or individual. (*First National Bank of Boston v. Bellotti*)."

The Court maintained that if an individual were not permitted to run an ad in an election, this would be unquestionably unconstitutional, since the right to influence elections is unequivocally protected by the First Amendment ("First National Bank v. Bellotti"). The dissenting opinion in this case pointed out the shareholder interests (which the Court in *Citizens United* would later consider), writing "the state had a first amendment interest in 'assuring that shareholders are not compelled to support and financially further beliefs with which they disagree' (*First National Bank v. Bellotti*)."

The dissent further claimed that restrictions on corporate speech do not limit individual shareholders from using their own money made from the business to engage in political speech. In a concurring dissent, Judge Rehnquist made a point that there is compelling reason for corporations to enjoy protections of speech insofar as this speech is used to carry out commercial interests but, considering the corporate identity as an "artificial person," made up of many individuals with the sole purpose of making a profit, their

In *McConnell v. Federal Election Committee*, the Court directly addressed the Bipartisan Campaign Reform Act of 2002 (BCRA), which amended the Federal Election Campaign Act that was later directly addressed in *Citizens United*. The case addressed a variety of provisions, particularly §203 of the BCRA that put restrictions on “soft money,” which are donations to a political party that then get funneled to candidates and on “electioneering communications” (Federal Election Commission). “Electioneering communications is defined as ‘any broadcast, cable, or satellite communication’ that ‘refers to a clearly identified candidate for Federal office’ and is made within 30 days of a primary or 60 days of a general election (*Citizens United v. FEC*, 3).” The BCRA banned corporations and labor unions from engaging in electioneering communications, but allowed them do so with funds they from their Political Action Committees (Federal Election Commission). The Court upheld the restrictions on soft money donations and electioneering communications by corporations and labor unions because they found the infringement on the First Amendment minimal and the restriction justified by a strong governmental interest in preventing corruption and the appearance of corruption (*“McConnell v. Federal Election Commission”*)

governmental interest in protecting the political speech of individual citizens and provide clear distinctions as to why corporations should not be given the same protections as natural citizens.

The majority rejected the stakeholder-interest argument that claims that when a corporation spends funds on a political campaign, they are going against the interest of any dissenting shareholders. While the majority believed that shareholders could simply pull out of a company if they didn't believe in the companies' political standings, this point opens up a larger argument made by Justice Stevens in the dissent, as well as in previous cases such as *Austin*. The sheer fact that corporations are made up of many shareholders who have differing opinions clearly distinguishes corporate identity from individual identity. This difference relies on the previously mentioned "artificial-person theory." Breaking from the theory that dominated the Courts from the start of the nation, in *Citizens United* the majority accepted the theory that corporations enjoy the same rights as natural persons. In *Austin v. Michigan Chamber of Commerce*, the majority recognized the distinction between corporations and natural citizens writing, "State law grants corporations special advantages — such as limited liability, perpetual life, and favorable treatment of the accumulation and distribution of assets — that enhance their ability to attract capital and to deploy their resources in ways that maximize the return on their shareholders' investments. (*Austin v. Michigan Chamber of Commerce*, section 659)."

The anti-corruption argument made by the FEC in *Buckley* and then in *Citizens United* proceeds by pointing out that limitations can be put on corporate political speech

practice. There are many ways that an organization engaging in independent campaign activity can coordinate with the official campaign. For instance, independent expenditures can be used to organize events at which a candidate speaks or appears. In state and local elections, independent funds can even be used in ads featuring the candidate him or herself, so long as it airs before the candidate has officially declared candidacy (Wollner). In John Kasich's run for President in the 2016 election, for example, he directly spoke in a television ad produced by the independent group New Day for America, which he filmed prior to filing as a candidate. (Wollner) Another tactic candidates use to coordinate efforts with independent funders is to issue public memos about their campaign strategies (Wollner). Even though candidates are not directly engaging with a campaign, a candidate is well aware of independently-funded efforts in support of his or her campaign. Although it may not overtly result in a quid pro quo arrangement, a candidate will be more likely to work on issues important to his or her largest donors. So, constituent interests and political voices will become less important as a representative pays more attention to his or her campaign donors. Further, even the appearance of corruption can lead to citizens losing faith in their leaders, undermining the health of our democracy.

Finally, the Court outright rejected the most compelling argument made. The anti-distortion argument made in *Austin* and again in *Citizens United* proceeds with the claim that the Government has an interest in preventing "corporations from obtaining 'an unfair advantage in the political marketplace' by using 'resources amassed in the economic marketplace' (*Citizens United v. FEC*, 34)." It is true that if corporations were

dangerous path that gives corporations more influence in elections, not only allowing for the corruption of elected officials, but minimizing the political speech of the individuals that are actually responsible for electing our representative body.

BCRA still “allows corporations to spend unlimited sums on political communications with their executives and shareholders, to fund additional PAC activity through trade associations, to distribute voting guides and voting records, to underwrite voter registration and voter turnout activities, to host fundraising events for candidates within certain limits, and to publicly endorse candidates through a press release and press conference (*Citizens United v. FEC*, 26).” Corporate voices are far from absent, but §203 prevents the gross distortion and corruption that unlimited expenditures by corporations can have during elections (*Citizens United v. FEC*, 26) In reality, *allowing* corporations to speak outright through independent expenditures perpetuates the exact problem of silenced voices that the majority was concerned about. By allowing corporations to speak the same as citizens, the voices of individuals become muffled, almost as if they are not really speaking at all. Our Founders made it clear; our elected officials are to give voice to those who elected them, not to “artificial persons” who do not even possess the right to vote.

Overall, I believe the Court misinterpreted this case for two reasons. First, corporations can be reasonably distinguished from individuals, and therefore should not enjoy the same protections under the First Amendment. Second, the government has a compelling interest to limit independent expenditures by corporations because of the threats they pose not only to the integrity of our elected body, but because of infringements they impose on individual political speech. In the next section, I detail the consequences of the Court’s decision to provide evidence in support of Government’s interest in keeping corporations out of elections

national political columnist, believe that the creation of Super PACs wasn't all that different from what existed before. Although they could not donate to candidates or parties, he points out that before *Citizens United*, corporations could donate unlimited sums to social-welfare groups, designated as tax-exempt 501(c)4s and 527 organizations (Bai). These groups could engage in information distribution and donations remained anonymous, but they could not expressly advocate in a political election. *Citizens United* got rid of the distinction between informative advocacy and political advocacy, allowing all individuals and corporations to engage directly in elections. Bai argues that the only main change from *Citizen United* was that the murkiness around independent advocacy was cleared, allowing more corporations to participate in independent political activity without fear of FEC violations. Bai claims that the statistics showing huge spikes in independent expenditures since 2010 don't show the entire picture of what's going on. He says the increase in independent money spent since *Citizens United* is actually much smaller, because instead of donating to social-welfare groups that hid donations under a cloak of anonymity, now the public can track corporate political spending more clearly because of Super PAC disclosure requirements. He even goes on to suggest that *Citizens United* has aided the integrity of elections because this money is now out in the open, so people can see who is funding independent campaigns for a specific candidate (Bai).

But, Bai ignores the fact that social-welfare groups receive significantly less money than super PACs (Center for Responsive Politics). Further, he glosses over the distinction between the type of activity the two can engage in. Social-welfare groups are extremely limited in what they can say and when they can say it. Super PACs can

politically, Democratic outside groups outspent Republicans. In 2008, Democratic outside groups spent \$195.9 million, while Republicans spent only \$111.9 million. Then in 2012, Republicans spent a whopping \$719.9 million in outside spending, more than double the \$293.4 million spent by Democrats (Center for Responsive Politics). Clearly, this spike in funding is coming from corporations and newly created super PACs flooding Republican elections to push far right agendas.

Already understanding this well-established trend, three researchers decided to study the effects of *Citizens United*, which allowed corporations to go full force on supporting candidates that agree with their policy preferences, on state elections. In their study “The Business of American Democracy: *Citizens United*, Independent Spending, and Elections” they found that after *Citizens United*, there was a statistically significant increase, about 4 percentage points, in the probability of Republicans winning state House elections, with more than 10 percent points in certain states (Klumpp, 2). They linked this increase to corporate spending enabled by *Citizens United* (Klumpp, 1). This statistic provides clear evidence that corporate spending since 2010 has had an impact on elections. But what sort of impact has corporate influence had?

In the last two decades, the Republican party has continued to shift further right, adopting more and more conservative policies, despite major defeats in 2006, 2008, and 2012 (Skocpol, 3). This contradicts political science models that predict parties will drift more centrally if they suffer major losses in elections. Yet, instead, Republican Congressional members have continued to support larger tax cuts, fewer government restrictions, and reductions of social programs that benefit lower classes (Skocpol, 3).

related legislation that resulted in an increase in government revenue (in other words, a tax). In the states and districts represented by signatories to this pledge, 73% of residents supported regulation of carbon monoxide (Skocpol, 47). Similar discrepancies were found in regards to union rights, one of Americans for Prosperity's forefront issues. The majority of Republican voters are opposed to cutting union bargaining rights, yet a disparate number of Republican legislators voted for anti-union bills (Skocpol, 49). The study finds causality between AFP activity and the disconnect between policy and voter desires.

Although the majority of Republicans hold moderate beliefs, far-right policies become implemented. These interests are ones that benefit Koch Industries and other big business interests. "Put simply, when the Kochs...and an array of other ideological and corporate groups call in one loud voice for government cut backs, tax cuts, and anti-union measures, virtually all of today's Republicans, and quite a few Democrats, too, do their bidding despite what most Americans say they prefer (Skocpol, 57)."

donors, voting according to these preferences. So even if a large number of small donors disagree with the voting habits of their candidate, if these expenditures are less than large corporate or super PAC expenditures, then it's obvious whose preferences win out.

Our Founders understood that restrictions are needed if, without them, individual freedoms are infringed upon. Although this is a restriction on liberty, it is necessary if there is good reason to believe that a restriction is necessary for the good of society or to protect others freedoms. Freedom of speech, especially political speech, is one of the foremost liberties ensured to us under the First Amendment. When corporations, which differ dramatically in makeup and motivation from individuals, are treated equally as people under the law, individual political speech becomes minimized. This minimization is an infringement on the freedom of speech of individuals. The right to freedom of speech does not just include the right to speak, but the right to hear. The majority in *Citizens United* not only distinguished the right to hear as protected by the First Amendment, but used this reason to reject the anti-distortion argument. The majority writes, "When Government seeks to use its full power, including the criminal law, to command where a person may get his or her information or what distrusted source he or she may not hear, it uses censorship to control thought. This is unlawful. The First Amendment confirms the freedom to think for ourselves (*Citizens United v. FEC*, 40)" The Court is establishing that not only are the restrictions placed upon corporate speech a violation of corporate rights, but by suppressing certain voices, the rights of all individuals to hear all sources is infringed upon. But, if corporations use their loud voices to drown out individuals' political speech, then they become one of the only

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