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Citizens United and the Effect of Corporate Power on American Democracy

The choice now facing the United States is between the continuation of our current economic model and the assertion of true democratic principles. As Supreme Court Justice Louis Brandeis put it, "We can have democracy in this country, or we can have great wealth concentrated in the hands of a few, but we can't have both." Brandeis's famous statement came at a time in American history that bears striking resemblance to the present. The Gilded Age trusts were exerting increasing control over American democracy and the gap between the rich and poor was rapidly widening. Although there are no longer the obvious monopolies of the Gilded Age, the corporate concentration of wealth and economic power in the hands of the few ensures a similar concentration of political power. As long as the rich hold disproportionate economic power, they will manipulate the law and politics to ensure their interests and stifle true democracy.

Corporate manipulation of the law has become increasingly effective due to the Citizens United Supreme Court ruling. The Court's opinion that money represents speech allowed unlimited political contributions to be protected under the First Amendment as long as they are not coordinated with a candidate's campaign. This system functionally destroys the power of the people to determine their government. Even if a candidate does not coordinate with a super PAC backing him, it is still very easy for a PAC to follow the candidate's wishes by taking cues from campaign rhetoric or by simply attacking the candidate's opponents. This ensures that the candidate will be beholden to the donors to the super PAC who, although allowed to remain hidden from the public, will doubtless make themselves and their interests known to him. Although it would appear that the voter would still have the minimal choice between the corporate interests backing the Republican candidate and those supporting the Democrats, this is not the case because corporations generally hedge their bets by giving to both the Republican and Democratic candidate. The flood of corporate money into politics will effectively erode the basic tenet of our democratic system—the ability of the voter to choose a candidate that truly represents her interests.

Citizens United should not be viewed as a single policy which needs to be overturned, rather it should be used to reveal the undemocratic effects of economic inequality. Political control by the rich has plagued the United States since its beginning. From the founding restriction of voting rights to white property owners, to the corruption of the Gilded Age, to finance capitalism and super PACs, moneyed interests have always attempted to secure disproportionate control of American democracy. As Brandeis and other critics throughout history have pointed out, economic power will always be exerted to corrupt and influence the political process. If we truly take our democratic ideals seriously, then it is the task of our government, and more importantly, we the people to constantly combat not just political corruption, but also the economic inequality which is its underlying cause.