



# Justice Rising

Grassroots Solutions to Corporate Rule

## Money in Democracy Part 1

### Reclaiming Our Elections

**This won't be an easy fight. Corporate America has invested heavily in politicians to oppose our efforts.**

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**The push for money is giving us "politicians who are exhausted, can't think clearly...and don't lead."**

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**Elected officials are focused on ways to reward their big campaign donors to the detriment of their voting constituents.**

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**Our Democracy has been stolen from us and we have to get it back.**

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**A Publication of Alliance for Democracy**





**Alliance for Democracy (AfD)** • AfD is a leading voice to end the domination of our economy, government, culture, media and environment by large corporations and the corporate and wealthy elite. Since 1996, AfD has been bringing people together to end corporate rule. Call 781-894-1179 or email [afd@thealliancefordemocracy.org](mailto:afd@thealliancefordemocracy.org) to become a member and join the struggle to create real democracy of, for and by We the People.

**Local Chapters** • From Boston to Portland, Oregon, local AfD chapters are the basic operating units, with members educating each other about corporate power and acting against corporate abuses on the local, state and global level. Chapters support fair trade while opposing corporate globalization, and promote community-appropriate economic and political alternatives to corporate domination.



**Defending Water for Life** • AfD works to keep water in public hands and in the public trust as a fundamental right for people and nature. It opposes corporate mining of water to sell for profit. Defending Water supports local communities to assert local democratic authority to protect their water and the rights of nature, and deny corporations the illegitimate Constitutional rights granted them by a corporate-friendly Supreme Court.

**Supporting Local Initiatives** • Democratizing the Grid, Oregonians for Renewable Energy Policy—OREP— an AfD-sponsored project, is focused on enacting a new state energy policy to rapidly increase renewable energy production, using the Feed-In Tariff (FIT) policy that has been so successful in Europe and now Ontario, Canada.



**AfD's Local Media Programs Go National** • Populist Dialogues and Corporations & Democracy feature lively interviews with leaders on critical issues of the day—economy, politics, climate and ecojustice, fair trade, water, corporate rule and more—you won't hear on corporate-owned TV and radio stations. They are available anytime anyplace now at [www.PopulistDialogues.org](http://www.PopulistDialogues.org) and <http://afdradio.org/>

**Tools for Organizing** • From "I Miss Democracy" and the "Supreme Injustices" street theater, to pamphlets on "Corporations Are Not People" and "Corporate Bribery: Our Democracy for Sale," and to signs and bumper stickers, use these "tools" as we "join together to end corporate rule."





# Dismantling the Web Reclaiming Our Elections

by Jim Tarbell

Four hundred years ago, kings granted corporate charters cautiously because they knew that concentrating capital also concentrated power. Kings used corporate charters to exercise their authority over this concentration of wealth to make sure it served the public and royal good.

This issue of *Justice Rising on Reclaiming Our Elections* is the first in a trilogy on modern day *Money in Democracy*. These three issues will examine how wealthy elites and corporate executives subvert the special corporate privilege to concentrate our national wealth and use it to implement government policies that increase their own wealth and concentrate their power, often with injurious results for our common good. As Bill Moyers says, money in politics is the "dagger directed at the heart of democracy."

The next issue will investigate how corporate treasuries play an overpowering role in telling the government what to do. It will also look at how we can turn that around and make the voice of the people heard in the hearts of our government.

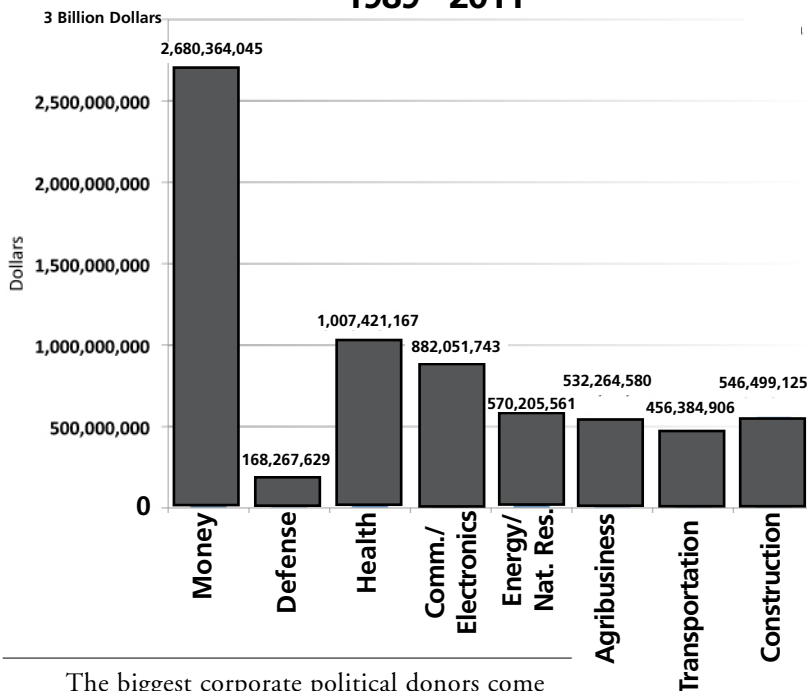
In the third issue of the trilogy, *Justice Rising* will study how corporations fund and funnel their personnel into positions of governmental power, and also make government service a training camp for the advancement of corporate rule by dangling and then delivering pots of gold into the hands of former government officials as they move through the revolving corporate door into lives as corporate lobbyists and executives.

We must fulfill the dream of the 1880s reformers who thought that civil service employment should be based on merit, ability and a dedication to creating a government that promotes the common good.

The most recent onslaught of corporate money power began in 1971. That year leading corporate lawyer Lewis Powell sent a memo to the US Chamber of Commerce urging that they undertake a campaign to reassert corporate authority in the face of the advances made for the public good during the 1960s.

Powell then moved on to the Supreme Court where he participated in a series of decisions allowing a flood of corporate money into our elections. The success of this campaign by the rich has become obvious in the "wealth primary," when a candidate becomes a front runner, simply by raising the most money, long before there is even a primary election. As veteran Washington reporter Jeffrey Birnbaum points out, "a run for the presidency... starts with the approval of the fund-raiser class." The success of this wealth-friendly filter is reflected in the fact that the median income of our federal legislators in 2009 was \$911,000, with senators averaging an amazing \$2.38 million.

## Largest Industry Contributors to Federal Elections 1989 - 2011



The biggest corporate political donors come from the firms that handle our privatized money supply including banks, financial firms, insurance companies, and real estate businesses. They have invested over \$2.68 billion in federal election campaigns in the last 22 years—two-and-a-half times as much money as any other industry group. We saw their payback in the billions of bailouts they received amidst the financial crisis. Goldman Sachs, far and away the biggest contributor in this group, was also a great beneficiary of government largesse.

In our post-Citizens United world, where contributions to the huge new super-PACs are not disclosed, it will be hard to know which special interest is investing the most in our "public servants." But transparency is not the only thing being destroyed. Publicly financed campaign systems are threatened by recent Roberts Court decisions. On top of that, those who brought us Citizens United have a long list of lawsuits that could completely eliminate any restrictions on using corporate treasuries to create corporate-friendly policies that subvert the public good.

A final question in regard to corporations and our electoral system is—given corporate leaders' obvious interest in manipulating the political system by dominating the cash contributions—are they also involved in hacking the electronic voting machines to alter final vote counts in favor of their candidates? It would certainly be a sensible hedge in their drive for risk aversion.

These are all big questions for American citizens to answer. This issue of *Justice Rising* is a beginning to finding the answers.

Data from the Center for Responsive Politics, [opensecrets.org](http://www.opensecrets.org)

**We must fulfill the dream of the 1880s reformers who thought that civil service employment should be based on merit, ability and a dedication to creating a government that promotes the common good.**

# Going Local To Make Change Nationally

by Kaitlin Sopoci-Belknap

In the year and a half since the Citizens United decision, Americans from all walks of life have become concerned about corporate dominance of our government and our society as a whole. In Citizens United v. FEC, the US Supreme Court—in an act of outrageous “judicial activism”—gutted existing campaign finance laws by ruling that corporations, wealthy individuals, and other entities can spend unlimited amounts of money on “independent” political campaigns.

Throughout the country people have responded by organizing against “corporate personhood,” a court-created precedent that illegitimately gives corporations rights that were intended for human beings.

The movement is flowering not in the halls of Congress, but at the local level, where all real social movements start. Every day, Americans experience the devastation caused by unaccountable corporations. Thanks to the hard work of local organizers, Boulder, CO could become the next community to officially join this growing effort. Councilmember Macon Cowles is proposing to place a measure on the November ballot, giving Boulder voters the opportunity to support an amendment to the US Constitution abolishing corporate personhood and declaring that money is not speech.

At the forefront of this movement is Move to Amend, a national coalition of hundreds of organizations and over 121,000 individuals (and counting). Move to Amend is committed to building a grassroots movement to abolish corporate personhood, to hold corporations accountable to the public, and ultimately to fulfill the promise of an American democratic republic.

Boulder is not alone in this fight, nor is it the first community to consider such a resolution. In April, voters in Madison and Dane County, WI



graphic: Free Range Longmont

overwhelmingly approved measures calling for an end to corporate personhood and the legal status of money as speech by 84% and 78% respectively. Similar resolutions have been passed in nearly 30 other cities and counties. Resolutions have also been introduced in the state legislatures of both Vermont and Washington.

Despite the momentum, Move to Amend organizers know this won't be an easy fight. Corporate America controls traditional media, and has invested heavily in politicians, lobbyists, and extremist groups to oppose our efforts. We can't expect Congress to act, nor can we depend on the courts to solve a problem of their own making. We draw our strategy and inspiration from the great social movements of history.

The abolition of slavery, the struggle for women's suffrage, trade unions, and the civil rights movement all started with grassroots organizing. The ruling elites denounced these movements as un-American, and they will make the same accusation against this effort today. Others claimed that those movements went “too far,” and were unrealistic. Thankfully, folks before us did not quit or give up. They gained traction with solid strategy, unwavering commitment, and moral authority.

Move To Amend proudly identifies with this tradition of engaged citizen participation. Building momentum with local organizing and resolutions is our best chance of driving a constitutional amendment into Congress.

Move to Amend is gaining momentum rapidly in communities throughout the country precisely because the problems of corporate power are most evident locally. Developers seeking special favors pour money into elections. Big polluters avoid investigations and litigation by hiding behind their illegitimate “rights.” Bad employers lie—with no legal consequences—to the public about unfair labor practices. People see it every day. They get it and they're ready to fight back. Move to Amend is here to help them do that with a strategy for long-term success.

*Kaitlin Sopoci-Belknap serves on the Executive Committee of Move to Amend. She is Field Organizing Coordinator for the campaign. She can be reached at [kaitlin@MoveToAmend.org](mailto:kaitlin@MoveToAmend.org).*

**Building momentum with local organizing and resolutions is our best chance of driving a constitutional amendment into Congress.**



# Corporate Funded War On Our Democracy and the Planet

by Jim Tarbell

Both the 1980 and 2010 election cycles started wars for campaign contributions. Both followed Supreme Court decisions that dramatically narrowed the definition of political bribery and campaign finance corruption. In both situations the Republicans smashed the Democrats in the first battles of those wars.

In 1976, the Supreme Court decided that money is equal to speech. Two years later they gave corporations free speech rights and suddenly corporate money flooded the campaign finance system. In 1980, Republicans overwhelmed Democratic fundraising by a ten-to-one margin, pushing Jimmy Carter out of the White House and bringing the Reagan Revolution to town.

Now the 2010 results show that, after two Supreme Court decisions once again unleashed corporate campaign money, fundraising in the 2010 election cycle again turned campaign finance on its head. Figures from the Center for Responsive Politics show that in 2010, "Outside interest groups spent more on election season political advertising than party committees for the first time in at least two decades, besting party committees by about \$105 million (and) the amount of independent expenditure and electioneering communication spending by outside groups has quadrupled since 2006." Conservative independent groups outspent liberal groups by more than a two-to-one margin in 2010.

"Independent" campaign expenditures, are supposed to operate independently of official campaigns, but the word "independent" must be taken with a grain of salt. Since they were first established in 1980, they have hardly been independent. Lyn Nofziger, deputy chairman for communications for the Republican National Committee, Executive Director of the California Committee to Re-Elect Nixon and Reagan's Press Secretary, told *New Yorker* writer Elizabeth Drew, "There is no way, if I am running an independent campaign, I'm not going to get the information I need...or talk to the chairman of the national committee." Campaigns share information through pollsters and, as a political consultant pointed out, "The way you get messages back and forth is through the national committee or the Senate or House campaign committees."

Back in the '80's, it was clear where the corporate money was coming from. In 2010, the Center for Responsive Politics estimated that there had been at least \$128 million of undisclosed corporate donations, although the actual amount is unknown.

Election night 2010 made it apparent that once again money power was driving the results and this



time it was secret corporate money doing the deed. One of the fears that night was that this new tsunami of money was ushering in a whole new era of politics. It was apparent that secret corporate money was funding more negative attack ads than ever before, and then Karl Rove, the notorious Republican operative, who was central to the development of huge corporate funded independent political committees in 2010, promised to keep running attack ads even after the elections were over.

The specter of 24/7 political campaigns, 365 days a year, is horrifying for our democracy. Back in the '80s, when this rush for money all began, Elizabeth Drew had noted that the push for money in political campaigns was leading elected officials to spend an overwhelming amount of their time raising campaign funds and giving us "politicians who are exhausted, who can't think clearly, who don't think about the broad questions.... Who don't lead."

Now, Democrats are reacting in the way they reacted in 1981. Then, after being outspent ten-to-one, losing the White House and dozens of seats in Congress, they realized they too had to go after corporate money. Now, in 2011, the Democrats are again playing catchup with a vengeance. So far this year \$1.15 million has been spent on ads targeted at candidates for 2012 Congressional seats. Over one million of that has been spent opposing candidates. The Democratic Congressional Campaign Committee has already spent over \$600 thousand attacking vulnerable House Republicans and the newly formed Democratic House Majority PAC has spent over \$263,000 on the same targets. The Democrats also created three more such committees this spring.

In a world of constant campaigns, our "representatives" will become corporate robots. They will carry out an agenda that depletes our diminishing resources and destroys the planetary climate system. The war is on for corporate dollars and our future and that of the planet could certainly be the losers.

**In 2010 "Outside interest groups spent more on election season political advertising than party committees for the first time in at least two decades."**

## Murdoch & Saudis?

by Michael Collins and Sheila Parks

The Supreme Court decided that US corporations can make unrestricted independent contributions to political candidates. Many US corporations are partially owned by foreign investors. For example, any funds donated by Rupert Murdoch's News Corp means funding, in part, by Saudi Arabian money since a Saudi investor owns 7% of the company. As ridiculous as this sounds, it's true and it didn't bother the Supreme Court one bit. Chief Justice Roberts and his foreign investor-friendly majority literally outsourced democracy.





graphic: Matt Wuerker

## Interview with a Corporate Vampire

Rights and Wrongs was granted an interview with the savvy corporate bloodsucker, T. Rex Price, Inc. I asked him a few questions about the value of investing in elected officials.

R&W: Tell us, why do you consider politicians to be sound investments in today's market?

TRP: Politicians are always thirsty for money. Money is the blood in the veins of political campaigns. And it is our blood in their veins. From the smallest city council race to the president, we are the blood supply. For corporate vampires looking to get their fangs into candidates, the risks are low and the potential dividends are astronomical. And with recent Supreme Court rulings, it's easier than ever to invest in politicians at all levels.

R&W: I understand you don't suck their blood, you feed them yours?

TRP: The goal of building a portfolio of politicians is to create strong and effective minions. At the beginning, like any investment, the small enterprise needs to grow. Corporate immortals have the time and money to feed a young politician, fatten them up until they become leaders in government. This patience will be rewarded with big returns. It only takes a taste of our powerful blood donations—even the strongest feel our influence. Some deny that it will change them, but it always does. They become

addicted to the infusions. They need more and more. Through our blood/money we become their masters and they do our bidding like zombies.

R&W: Why are you so bullish on Congressmen right now, T. Rex?

TRP: The illusion still prevails that Congress makes the laws. Since corporate blood suckers and corporations live forever, there is nothing we can do with our money that pays higher dividends for the long term—get it, long term. And there is no smarter safeguard for our future than investing in the right Congressperson sitting on the right committee. Of course, we want a diversified portfolio: some seasoned veteran deal makers with a solid track record, a few idealistic, fresh-faced idealists we can pick up at a bargain, and a spread across both parties as a hedge.

R&W: In campaign investing, what are the fundamentals?

TRP: Start with fundamentalists, get it, but seriously, it is true believers who are most easily bought. Look for newcomers running on social issues. They are natural followers and make the best minions, and are often the thirstiest—less squeamish about slipping in environmental or financial deregulation language since it's not their key issue. I recommend starting with a few of those in either party. And it's more affordable than you might think. You would be amazed how a few thousand dollars in campaign contributions can get a word or two into a bill that can make us and our fellow investors billions.

R&W: What are some of the best financial products available for political investors?

TRP: A good way to start is with political mutual funds, also called PACs. Investing in a political party or issue-specific committee allows us to invest in a bundle of politicians who are willing to further our cause. Another way to go is the options and futures market, by pledging money to a candidate to be paid out in the future, dangling the carrot, until they fulfill a goal or vote a certain way. There are candidate fundraising dinners, where pressing the flesh helps us dazzle their minds. And the old-fashioned direct contribution can't be beat, especially when it's large enough to buy controlling interest in the politician. In the future, as laws continue to devolve, we will announce exciting new derivatives that will tempt the fangs of even the most sophisticated corporate bloodsucking investor.

R&W: Thank you T. Rex Price, Inc for passing on these juicy tidbits.

TRP: America has the best politicians money can buy, and it's a buyers market. We can sink our teeth into them.

*Jan Edwards is the creator of the "Tapestry of the Commons," which is online at [www.thetapestryofthecommons.org](http://www.thetapestryofthecommons.org). She is a member of the Redwood Coast Chapter of the AfD.*





by Nick Nyhart

The day that disgraced former Governor Rod Blagojevich (D-IL) was convicted of trying to sell off President Obama's Senate seat to the highest bidder, the US Supreme Court threw out the "trigger fund" provisions of Arizona's Clean Elections public financing system (see sidebar).

It's a perfect juxtaposition of the contradictions within our current system. Every day, elected officials like Blagojevich are focused on ways to reward their big campaign donors to the detriment of their voting constituents. A narrow majority of the Supreme Court, however, seems wholly unconcerned about money's influence on our political process or the damage it's doing to our democratic institutions.

Fortunately, the Court upheld the foundations of public financing because, as we have seen in state after state, these systems work. From Arizona to Maine, Connecticut to North Carolina, candidates from diverse backgrounds have been able to run for office without requiring personal wealth or access to it. These systems have brought more voters into the fold, too. A 2008 Public Campaign report found that the \$5-qualifying donors to Clean Elections campaigns "are more diverse racially and ethnically, as well as economically and geographically" than donors to privately financed candidates. Folks who otherwise wouldn't be actively involved in our democracy are compelled to do so, and more participation is a good thing.

More importantly, "Clean" elected officials have been able to make their decisions based on what's best for their constituents—not what's best for their campaign bank account. As Connecticut State Rep. Robert Godfrey said, "In the old days, before the Citizens Election Commission [and public financing of campaigns], the lobbyists were out here trying to get their bills called. If there was ever an illustration of the loss of influence of lobbyists, this is it."

Future court rulings may chip away at disclosure, contribution limits, and other campaign finance regulations. In that case, public financing matching systems are the likely route supporters of common sense campaign systems will need to take.

One example is the federal Fair Elections Now Act, reintroduced this April in both the US

House and Senate. Fair Elections would allow candidates for Congress to run competitive campaigns for office by relying solely on small donors from their home state. Fair Elections candidates would fund their campaigns through a blend of small donations of \$100 or less and a five-to-one match on those donations from a Fair Elections fund. In 2010, the bipartisan Fair Elections Now Act had the support of 165 House members and 25 Senators, including leadership in both chambers, and is still pending.

Nearly \$300 million was spent by outside non-party groups—much of it anonymously—in the 2010 election cycle. After last year's Republican comeback, Democratic outside groups have promised they will increase their expenditures and the GOP is redoubling its efforts as well. As a result, we are going to see the most expensive elections ever. As the cost of winning a seat in Congress increases, so will the amount of time candidates and incumbents have to spend dialing for dollars and attending high-dollar fundraisers. Our elections will continue to be shoved into the hands of elite, wealthy donors.

Governor Blagojevich isn't the first corrupt politician and he won't be the last. As long as elected officials have to participate in our corrosive pay-to-play political system, politicians are going to be caught in scandal. And as long as the pro-business majority of the Supreme Court keeps throwing out common-sense restrictions on spending and fundraising, incentivizing the role of small donors is the best solution we've got if we want a government that is of, by, and for the people, not bought and paid for by wealthy donors and special interests.

*Nick Nyhart is President and CEO of Public Campaign.*



photo: Backbone Campaign

## Court Chills Clean Elections

On June 27th, the US Supreme Court ruled in *Arizona Free Enterprise v. Bennett* that the "trigger fund" provision of Arizona's Clean Elections Act was unconstitutional, while upholding the foundations of publicly financed elections.

In essence, Clean Elections candidates receive an original lump sum to run their campaigns after showing broad support in their district. If Clean Elections candidates face a privately-financed opponent or outside spending, they would receive "trigger" funds, up to a limit, to ensure they remained competitive.

Opponents of the law argued that such triggers "chilled" speech because a privately financed candidate might not want to raise and spend more campaign money if their publicly-financed opponent received more money as a result. That "more speech" would "chill speech" is a specious argument, but a five-member majority of the court was swayed in the decision.

Most of the Clean Elections systems in place across the country—Arizona, Connecticut, Maine, North Carolina, and others—have trigger mechanisms as an important part of their structure. Organizers and lawmakers in these states will now have to work to update these systems to ensure they remain viable alternatives for candidates.

## Justice Rising

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**JUSTICE RISING** is a publication of **the Alliance for Democracy**, whose mission is to end the domination of our politics, our economics, the environment, and our culture by large corporations. The Alliance seeks to establish true economic and political democracy and to create a just society with a sustainable, equitable economy.

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Cover artist **Peter Veres** is a San Francisco-based *maestro* of tile, monsters and mythical creatures. You can see his work at [www.mosaicmercantile.com](http://www.mosaicmercantile.com) and check out his book *Kati's Story: Recollections of Two Worlds* at [www.authorhouse.com](http://www.authorhouse.com) and at Amazon.com

## Justice Rising

Doris “Granny D” Haddock—who walked across the country at the age of 89 to change our system of financing elections—used to say, “I sure wish those nice corporate executives would spend their money on nice fishing poles and Rolex watches rather than buying politicians.”

That was wishful thinking. Corporate executives are now spending their corporate treasuries to finance year in year out campaigns to fix their agendas in law. In the words of Indigenous leaders, their agendas will dominate “nature, transforming everything into commodities: water, earth, the human genome, ancestral cultures, biodiversity, justice, ethics, the rights of peoples, and life itself.”

Only through a combination of: amending the US Constitution to end court-given corporate rights; creating a system of publicly-financed elections; and mandating transparency in government will we be able to create a government of “We the People” that protects our common good and the planet.

Ending corporate domination of our elections is the place to start, and the only way to accomplish that is to end corporate personhood with an amendment to the US Constitution, making it clear that corporations are not entitled to any constitutional rights that were meant for humans, including the First Amendment equating money with speech.

We know from history that we cannot get rid of an old system without creating a new one. The ability of corporate money to sweep in and take over our governmental processes in the 1880s—when reformers thought that they were getting rid of corrupt campaign financing—is a warning to us that we have to own and control our elections. We can only achieve that if we publicly supply the money to finance candidates' campaigns to adequately spread their message out to the electorate and to use hand-counted paper ballots to ensure an accurate vote count.

We must also make sure that our government is transparent. We must know who is influencing our legislators and how they are doing it. We cannot allow ourselves to be left in the dark about how, why and in whose name critical public policy is made.

Join the movement to end illegitimate, court-given, corporate rights. Promote publicly financed and honest elections in your community, state and on the federal level. Keep our government transparent and get information out about who is influencing your elected officials.



Tom Wodetzki and Toni Rizzo of Corporations & Democracy



David Delk of Populist Dialogues

## AfD Radio and TV Programs Go National

Two important publicly provided community sources of non-corporate news and analysis are now on the new national AfD media page. Both shows feature lively interviews with leaders on critical issues you will not hear on corporate-owned stations. If you missed the original broadcast times, now you can listen or watch them from our website.

### Corporations & Democracy Radio Program

Thirteen years ago, inspired AfD members in Mendocino County, CA created this one-hour program of live interviews with leading voices on corporate rule over climate, war, peace, politics, our economy, the environment and much more. Interviewees have included Ralph Nader, Medea Benjamin, Howard Zinn, Frances Moore Lappé and many others.

It is broadcast on the first and third Fridays, 1-2 PM Pacific time at 90.7 FM, streamed live and archived at <http://afdradio.org/> Annie Esposito and Steve Scalmanini host on alternate Fridays.

**Populist Dialogues:** In January 2011, David Delk, Portland OR AfD Chapter President and National Co-chair, launched this one-half-hour weekly community access television interview program to further populist values. You can see it at [www.PopulistDialogues.org](http://www.PopulistDialogues.org) and also learn how to play this program on your local community access television station. The most recent interviews with David Cobb on corporate personhood, corporate constitutional rights, and Move To Amend are also posted to YouTube at [www.youtube.com/BetterSpokane](http://www.youtube.com/BetterSpokane).



# Hacking Our Elections With Big Money And Power

by Michael Collins and Sheila Parks, Ed.D.

The formula for modern elections is simple. Candidates must have significant sums of money to compete in primaries. That means anyone absent real money is left out. More importantly, those with the most money have the biggest advantage. Combining money with favorable media is generally a sure winner. Republican Scott Walker outspent Democrat Tom Barrett by nearly a two to one margin, \$11 million to \$6.7 million. With one exception, the most expensive races for Wisconsin's legislature were won by the best funded candidates. But money isn't the main problem.

The fundamental problem with campaign financing is not the money itself, it's the commitments firmly attached to the donors. When super wealthy donors like the Koch brothers get involved, you can be sure they expect a return for their investment. Again and again, we see policies flow from donors through their acquired political candidates, back to the original donor group in the form of legislative and regulatory preference.

The US Supreme Court went out of its way to extend this practice with its Citizens United decision. That set the stage for Wisconsin and every other state and Congressional election in 2010. The results are apparent—particularly in Wisconsin—in terms of political offices held and actions on behalf of donors. The response by the citizens of Wisconsin is a major roadblock to the toxic effects of unrestrained money and power on our elections.

Yet even the wonderful Wisconsinites might find their roadblock unable to withstand the influence of big money and power, since most of the recalls in the August 9th General Election, like most elections in the USA, will be counted by electronic voting machines. A privatized electronic voting machine industry owns our elections. In 2004, Wally O'Dell, CEO and Chair of the Board of Diebold, said he would help deliver Ohio to Bush. And he did.

Election fraud has been going on at least since 1970. Read the book *Votescam*, by the late great brothers, James and Kenneth Collier. The book details the League of Women Voters fraudulently punching holes in punch card ballots, on election night, after the polls have closed.

Nina Totenberg and Helen Thomas are among the illustrious media people who chose not to report any of the Colliers' election fraud evidence. The Colliers understood that the US has a "great tradition of encouraging developing countries to adopt



photo: WISSUP

the computer method of vote counting." Recently, we are promoting international election fraud when Hillary Clinton "wonders" if India could help Egypt's new democracy with its elections

All the rights of the world depend on our voting rights. If we lose those, we have nothing, and we have pretty much lost those rights already. We must get rid of the influence of big money and power in our elections. The fraud of the electronic voting machines, coupled with the complicity of the corporate media and the politicians, are not glitches, errors, anomalies. To begin to solve this mess, we must immediately go to secure hand-counted paper ballot (HCPB) elections.

For more information on HCPB go to <http://dailycensored.com/2011/04/27/down-the-rabbit-hole-with-democracy-and-three-urgent-pleas/> and scroll down to the third urgent plea. To read the first six chapters and to order the book *Votescam* go to [http://www.votescam.org/votescam\\_chapters](http://www.votescam.org/votescam_chapters) For more on the two to one fundraising difference between Scott Walker and Tom Barrett see <http://www.wisdc.org/pr020811.php> For the story Hillary Clinton and India see [http://articles.timesofindia.indiatimes.com/2011-02-14/india/28545942\\_1\\_strategic-dialogue-tri-valley-students-foreign-secretary](http://articles.timesofindia.indiatimes.com/2011-02-14/india/28545942_1_strategic-dialogue-tri-valley-students-foreign-secretary)

Michael Collins is a writer and researcher. His work can be found at [TheMoneyParty.org](http://TheMoneyParty.org) and other news and opinion sites around the Internet.

Sheila Parks, Ed.D., has been involved with this wave of voting rights since the 2000 Florida presidential election. She is the founder of the Center for Hand-Counted Paper Ballots, <http://www.handcountedpaperballots.org>

**The response by the citizens of Wisconsin is a major roadblock to the toxic effects of unrestrained money and power on our elections.**

## "You may say I'm a dreamer..."

Imagine a country where people defeated the big tobacco corporations. It is right here, we did it! Now smoking is being banned inside private apartments and cars in parking lots. It's happening because second-hand smoke seriously harms us all and people took action.

Now imagine a country where all electronic voting machines are banned, from California to Massachusetts. We can defeat those corporations too. Secure hand-counted paper ballot (HCPB) elections are the only way to ensure all our precious votes are counted as cast.

## The Caucus

The Politics and Government Blog of The Times

October 20, 2010, 7:14 PM

### The Caucus Click: Washington

By THE NEW YORK TIMES



Chip Somodevilla/Getty Images

Laird Monahan walked up the steps of the Lincoln Memorial, past a banner printed with the preamble of the United States Constitution, during a demonstration against Citizens United v. Federal Election Commission, the Supreme Court decision that ruled that the government may not ban political spending by corporations in candidate elections.



AfD Co-chair Nancy Price and former Co-chair Sue Wheaton organized, fed and housed much of the effort.

photo: Jim Tarbell

# Media We Effort to Get Unlin Money Out o

by Jim Tarbell

The *Washington Post* and the *New York Times* both featured the Move to Amend-sponsored welcome to Washington, DC of Laird and Robin Monahan. This was nine months after the Supreme Court announced its decision allowing corporations the unlimited right to contribute to independent political campaigns. The Monahans arrival in DC was the culmination of their 3100 mile trek across country to bring awareness to the American people of the implications of that decision.

The welcoming event took weeks to organize and the untiring dedication of the people involved. It featured a 200-foot Constitution, and two, eight-foot high signs, all put together by the Backbone Campaign. One sign declared that corporations do not equal persons and the other was a huge "For Sale" sign to march around Washington. All of this required organizing during the day and sign building most of the night. Bill Moyer, of the Backbone Campaign, did both and finished his monumental signs as the festivities began.

The all-day public event started with a march from the Arlington National Cemetery in Virginia—where the 200-foot Constitution was assembled—across the Memorial Bridge spanning the Potomac River to the Lincoln Memorial in Washington, DC. There, Park Police were taken by surprise as ralliers quickly took over the famed marble steps and cascaded the 200-foot rendition of the Constitutional Preamble down towards the Reflecting Pool. Before the police could respond, a confident Nancy Price occupied them with the inch-thick demonstration permit that had been approved the day before. As the flabbergasted police puzzled about what to do, the demonstrators carried on with speeches and the distribution of feather-tipped pens for the crowd to use in signing the Constitution. The whole event recalled the location and spirit of Martin Luther King's, "I Have a Dream" speech.

From there, the happy and determined citizens, moved on down the Mall to place their huge "For Sale" sign in front of the Capitol and then at the Supreme Court.

A fun and festive evening reception at Washington's renowned Busboys and Poets culminated the day with a gathering that included some of this country's most dedicated and active citizens determined to bring an end to the devastating power of corporate money in our political system.



# lcomes nited Corporate of Politics



Former AFD Co-chair Lou Hammann and Nancy Price call for an end to Big Money Politics photo: Jim Tarbell



Bill Moyer of the Backbone Campaign, who worked tirelessly to build these signs and Robin and Laird Monahan culminate the Monahan Brother's cross-county walk. photo: Jim Tarbell

THURSDAY, OCTOBER 21, 2010

The Washington Post

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## POLITICS & THE NATION

DIGEST



photo: Chip Somodevilla/Getty Images

A woman signs a giant banner with the Preamble to the Constitution as demonstrators gathered at the Lincoln Memorial to protest the Supreme Court's Citizens United campaign finance ruling. Two organizers walked across the country to call attention to their cause.

### Democracy for sale

Check out the five-minute video of the Democracy for Sale Rally welcoming the Monahans to Washington DC. You can see it at <http://www.youtube.com/watch?v=MV8ImIERFIM&feature=related>. Laird Monahan explains his motivation:

"The corporations have been stealing our representatives for years. Behind closed doors, they have been paying them off and intimidating them. But the Supreme Court's decision made it legal. I was an early Republican, later a Democrat and I voted for Ross Perot along the way.

"I am a Viet Nam Vet. I volunteered my service to my country. I grew up loving our country. Loving what it stood for, loving our democracy. When I saw what had been done to the Constitution, I had to go on a walk to raise the awareness of the American people...Our Democracy has been stolen from us and we have to get it back."

# Groups—Money in Democracy Part 1:



**BACKBONE CAMPAIGN**  
Emboldening Citizens and Leaders to Stand Up for Our Future

The **Backbone Campaign** has energy, puppets, parades and an activist camp. They make the puppets, and placards, and their 200-foot long Constitution is grand to behold streaming down the steps of the Lincoln Memorial. Their Parade for the Future deals with elections, democracy, war and more. Their Localize This! Action Camp, Creative Tactics for the Land and Sea is in early August this year. If you have missed it, let them know you want to attend next year. They initiated the flash mob that invaded a Target store last year with song, dance and people power messaging.

The **Sunlight Foundation** has all sorts of ingenious “widgets” to help you track money in politics and make government transparent and accountable. Their poligraft lets you paste in a news story and it will connect the politicians and industries involved and let you know how they are intertwined. Their other aps make the same sorts of connections and their transparency camp shows you the leading edge of researching money in politics. But the granddaddy



of money in politics is the **Center for Responsive Politics** and their website [opensecrets.org](http://www.opensecrets.org). Besides displaying the financing of presidential and congressional candidates, they look at interest groups, lobbying, the revolving door, PACs, heavy hitters, national donor profiles and 527s. Besides data, they have blogs and analysis that keep you current with the changing landscape.



The **Alliance for Democracy** has been working on corporate power since 1996. Check their web page [www.thealliancefordemocracy.org](http://www.thealliancefordemocracy.org) on Ending Corporate Rule, Amending our Constitution and Funding our Elections. They have an organizing toolkit with a downloadable brochure that succinctly tells the story of corporate bribery in the United States. You can also check out the *Declaration of Independence from Corporate Rule* and a host of signs ready to print and use as well as a political bribery bumper sticker.

**Common Cause** is the granddaddy of Washington DC-based groups working to promote the common good. They concentrate on money in politics, election reform, ethics and accountability in government, media and democracy. They have 400,00 members across the country and chapters in many states. Their Activist Kit can prepare you for a day in DC from explaining how bills are passed, to tips on lobbying and a list of ten things you can do. They also have sections on Citizens United, the Koch Brothers, and various plans for campaign finance reform.



**MOVE TO AMEND**  
a project of the CAMPAIGN TO LEGALIZE DEMOCRACY

**MoveToAmend.org** and **FreeSpeechForPeople.org** both promote amending the US Constitution to eliminate some or all of the rights that courts have given to corporations over the past 125 years. They are both

made up of coalitions of pro-democracy groups that have been working on this issue for years. Both were brought into being by the crisis created by the Supreme Court's Citizens United decision in January 2010. Together they are educating the American citizenry about the importance of amending the Constitution to bring an end to illegitimate, court-created corporate rights.

**FREE SPEECH**  
for **PEOPLE.org**

**National Institute for Money in State Politics** and their website [followthemoney.org](http://followthemoney.org) is a nonpartisan, nonprofit organization revealing the influence of campaign money on state-level elections and public policy in all 50 states. Their comprehensive campaign-finance database and relevant issue analyses are available for free through their website. They encourage transparency and promote independent investigation of state-level campaign contributions by journalists, academic researchers, public-interest groups, government agencies, policy makers, students and the public at large.



CLEAN MONEY CLEAN ELECTIONS  
**PUBLIC CAMPAIGN**

**Public Campaign** is the granddaddy of publicly financed elections. They have worked closely with

states and local governments to institute clean money campaigns across the country. **Americans for Campaign Reform** has been a promoter of publicly-financed elections on the federal, state and local level. Their effort is spearheaded by an impressive array of national political figures including Senators Bill Bradley, Alan Simpson, Warren Rudman and Bob Kerrey. **Fix Congress First**, founded by Professor Lawrence Lessig and long-time political operative Joe Trippi, has the goal to restore public trust in our government by instituting an election financing system that combines small donors and public funding.

**Fix Congress First!**  
CONGRESSIONAL REFORM for a TRUER DEMOCRACY.

**AMERICANS FOR CAMPAIGN REFORM**  
Our future depends on it.



# Reclaiming Our Elections—Books

by Jim Tarbell

Since the founding of our country there have been thousands of books written about money in our political system. From all these choices I am highlighting four books that cover various periods of money in our political system. Unfortunately, there have not yet been any seminal books written on the impacts to the electoral system since the Supreme Court made its decision in January 2010 to eliminate any restrictions on independent corporate contributions to political campaigns. However, in the accompanying sidebar I have listed several informative videos on the new period of campaign finance that we have entered.

It is important to be reminded that wealth has had an overwhelming influence on our political system from the beginning. Gustavus Meyers, a researcher and writer coming out of the Populist movement wrote a series of books on the role of money in our democracy. His 1911, double volume *History of the Great American Fortunes* begins with the initial colonial, aristocratic landholders who became the political base for the early federalist administrations of George Washington and John Adams—both heavily influenced by Alexander Hamilton.

He chronicles the growth of the trading class as it becomes the political elite of the early 1800s. He then shows how the railroad corporations initially concentrated huge capital wealth to provide public infrastructure, and instead used much of it to corrupt the political system. This model of political intervention was then taken up by the robber barons of the Gilded Age as the entire financing of political campaigns came under the control of corporate money. His major point is that often the great fortunes were built more on their ability to corrupt our democracy than on providing for the common good.

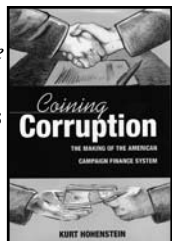
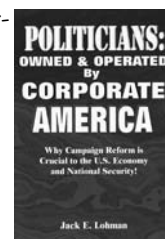
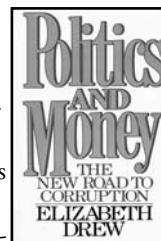
The next phase of money power in our political system is covered in Kurt Hohenstein's 2007 *Coining Corruption: The Making of the American Campaign Finance System*. He begins with the growth of corporate contributions in the late 1800s and the passage of the Tillman Act in 1907 prohibiting corporate contributions to political campaigns.

Hohenstein's significant point is that the original intent of campaign finance regulations was to promote deliberative democracy and the com-

mon good. The rest of his story depicts the erosion of that rationale over the next 100 years as it was slowly abandoned to be replaced by a definition of political corruption as only strict *quid pro quo* actions, with no concern for the quality of deliberative democracy for the common good.

The next era in campaign finance began in the 1970s when the Supreme Court declared that money is equal to speech and that corporations could contribute to political campaigns. *New Yorker* writer Elizabeth Drew's book *Politics and Money: The New Road to Corruption* traces the impact of this change on politicians and political campaigns as money suddenly exploded across the political landscape. She quotes politicians as they confront this new era and wonder aloud of its evident corruption and their easy rationalization that they were only selling access in a new pay-to-play political arena.

More recently there have been numerous books that have raged at the political corruption born of this pay-to-play political system, which have prevented the passage of various legislative acts aimed at benefitting the common good. Among these, Jack Lohman's *Politicians—Owned and Operated by Corporate America*, is of special interest because it comes from a life-long Republican who voted twice for George W. Bush. From taxes to health care, he outlines why conservatives should join the movement to get corporate money out of our democracy



## Videos Capture the New Political Era

In this new visual age, the realities of our new campaign-finance era can be followed on a list of current videos available on the web. One of the most delightful is the *Story of Stuff's* *Citizens United v. FEC* video. This short story displays the same charm and political acumen as the original *Story of Stuff* that depicted the over commodification of our consumerist world. You can check it out at <http://storyofstuff.org/citizensunited/>

You can also access the Corporate Power and Politics conference in Washington DC, held on the first anniversary of the *Citizens United* decision. CSPAN covered this event that included panels with representatives from many concerned organizations including the Alliance for Democracy, People for the American Way, Common Cause and Public Citizen. Check it out at <http://www.c-spanvideo.org/program/UnitedvFed>

Meanwhile, the Forum on Democracy and *Citizens United* at the Massachusetts Institute of Technology is an hour and a half discussion with Laurence Lessig, John Bonifaz and others on the philosophical approaches of how to confront the *Citizens United* decision. This is available at <http://mitworld.mit.edu/video/827>

Finally the MSNBC show *Last Word* with Lawrence O'Donnell talks with Dahlia Lithwick, senior editor of *Slate*, about the Supreme Court decision to emasculate Arizona's Clean Election Act. You can see it at <http://www.msnbc.msn.com/id/21134540/vp/43614853#43614853>

# Said the Pot to the Kettle

## Citizens United & The Power of Corporate Speech

by Kurt Hohenstein



**The power of corporate funding supporting a candidate yet not coordinated with her campaign does not avoid *quid pro quo* corruption.**

Analyses of the now famous head nod and mouthed denial, “It’s not true” by Associate Justice Samuel Alito during President Obama’s 2010 State of the Union speech typically missed the point. The President’s assertion that *Citizens United v. FEC* “reversed a century of law to open up the floodgates for special interests, including foreign corporations, to spend without limit in our elections,” was plainly wrong. But Justice Alito’s adamant denial, like much of the debate over campaign finance regulation, was even more of a head fake.

In *Citizens United*, the Supreme Court found unconstitutional that part of McCain-Feingold, which prohibited independent expenditures by corporations on behalf of, but not coordinated with, candidates. It also explicitly overturned the *Austin v. Michigan Chamber of Commerce* decision where Michigan had prohibited direct expenditures by corporations on behalf of a candidate. But *Citizens United* did not overturn the Tillman Act, which since 1909 has prohibited direct contributions by corporations, both domestic and foreign, directly to candidates.

The reason both the President and Supreme Court are wrong is because neither party gets it. President Obama can claim no moral high ground after his campaign eviscerated the presidential campaign funding provisions of FECA 1974 by going outside its provisions and raising hundreds of millions of dollars, most of which remain unaudited. Neither party can claim clean hands when they use corporate entities, nonprofit organizations organized under Section 527, to accept and spend unlimited amounts of money from any source, including corporations, on

behalf of a candidate. Surely the Court is not unaware of these developments, which have slowly, but inexorably eaten away at the foundations of FECA 1974 and McCain-Feingold to the point where almost nothing of substance remains.

Yet, the Supreme Court remains the problem. Its rigid acceptance of unfettered free speech in the context of campaign finance reform,

denies any value to the public interest of promoting equality of speech while protecting individual and communal political interests. All of this hearkens back to the refusal of the Court in the 1976 case of *Buckley v. Valeo* to affirm the long understood principle of restricting speech in campaigns to promote deliberative equality among citizens.

Instead of following that long-accepted precedent, the court adopted the limited view that lawmakers could only restrict speech where campaign money created the possibility of *quid pro quo* corruption—that corruption which comes from direct contributions of money to candidates in exchange for certain actions. That is why both sides, mired in the historically inaccurate dichotomy—free speech equals money which if given indirectly to candidates cannot be limited—continue to misstate the history to the detriment of us all.

To promote open, complete, informed deliberation in our campaign discourse, we need to encourage both greater and more equal speech. There is little doubt that our political campaigns do not inform citizens well about the issues, focused instead on mini-sound bites and gotcha politics. We are, to a great extent, saddled with blithely ignorant representatives because they use immense funding advantages to remain in office offering the voters the same drivel election after election. The power of corporate funding supporting a candidate yet not coordinated with her campaign does not avoid *quid pro quo* corruption. It is politically unrealistic to argue that the successful candidate won’t reward her campaign supporters even if they didn’t coordinate that spending with her.

What this new regimen of campaign finance does—the 527’s, the indirect, uncoordinated corporate spending approved in *Citizens United*, the raising of hundreds of millions of dollars outside the presidential campaign system established in 1974—is make the politician less accountable to the people she represents, and beyond the purview of the law, all in the name of freedom of speech.

Free speech remains a foundational, constitutional principle, but in the field of campaign finance, it has never done as much damage as the Courts have inflicted on the electorate by their misreading of history in *Buckley* and as now exacerbated by *Citizens United*.

*Kurt Hohenstein is an Associate Professor of History, at Winona State University and author of Coining Corruption: The Making of the American Campaign Finance System.*





# Powell and Corporate Power

by James Allison

In the annals of corporate power, who was he? Lewis F. Powell, Jr., was a true Virginia gentleman: private and public schools; Washington and Lee University; Harvard Law; partner in a powerful Richmond law firm; full colonel in World War II, with impressive decorations for his work in intelligence. After the war, he had a distinguished career in corporate law: mergers and acquisitions; railway litigation; for big tobacco, much legal work and service on boards of directors. Esteemed by peers, he presided over the American Bar Association, the American College of Trial Lawyers, and the American Law Foundation.

When Hugo Black departed in 1971, he left a Supreme Court vacancy customarily filled by a southerner. Although Powell was a lifelong Democrat, Republican President Nixon offered, and Powell accepted, the job he had refused two years before.

The early 1970s were a good time for progressives. The public had turned against the Vietnam war. Federal government had embraced environmental protection, banned cigarette ads on the airwaves, cancelled the Supersonic Transport, bolstered product safety, and founded OSHA and EPA. It was an age of citizen action, of Common Cause and the Center for Law and Social Policy. In the field of auto safety, Ralph Nader had routed GM.

Nixon's offer to join the Court came about two months after Powell's confidential memo to the US Chamber of Commerce, a strategy for the defense of corporate America. From that now famous memo can we draw a line, via the Court that Powell sat upon, to the subsequent rise of corporate power, and its lofty perch in our government?

Lewis Powell saw corporations on the run, with scant public respect and little influence in government. Deeply worried, he wrote his memo: We must burnish the corporate image everywhere, from the mass media to the universities. But he also called special attention to the courts, "American business and the enterprise system have been affected as much by the courts as by the executive and legislative branches of government. Under our constitutional system, especially with an activist-minded Supreme Court, the judiciary may be the most important instrument for social, economic and political change."

Forty years later, when Powell seems to have had his way, we may never quantify that influence. But his memo surely mattered. For example, the official historian of the Heritage Foundation reportedly said of an interview with Joseph Coors that Coors was so stirred up by the memo that he

invested the first \$250,000 in what became the Heritage Foundation—the granddaddy of right-wing DC think tanks.

What of Powell's direct judicial influence? My favorite specimen is *First National Bank of Boston v. Bellotti* (1978), a 5-4 vote with Powell writing for the majority. A Massachusetts law prohibited the use of corporate funds to influence voters. The Court ruled that corporations had a First Amendment right to try to influence political processes. The Constitution protected corporate speech, and the law infringed on that speech, as the law served no compelling state interest. What makes it my favorite specimen is the disdainful dissent by conservative Justice William Rehnquist. "This Court decided [sic; it was the Court Reporter who decided] at an early date, with neither argument nor discussion, that a business corporation is a 'person' entitled to the protection of the Equal Protection Clause of the Fourteenth Amendment. *Santa Clara County v. Southern Pacific RR. Co.*, (1886)."

He said further: "The question presented today, whether business corporations have a constitutionally protected liberty to engage in political activities, has never been squarely addressed by any previous decision of this Court. However, the General Court of the Commonwealth of Massachusetts, the Congress of the United States, and the legislatures of 30 other States of this Republic have considered the matter, and have concluded that restrictions upon the political activity of business corporations are both politically desirable and constitutionally permissible. The judgment of such a broad consensus of governmental bodies expressed over a period of many decades is entitled to considerable deference from this Court."

So much for "... this Court." And what about our present Court, of Roberts and company?

*James Allison attended UC Berkeley, Claremont Graduate School, and holds a Ph.D. from the University of Michigan. He taught experimental psychology at Indiana University and is Professor Emeritus there. He has authored or co-authored two books and nearly a hundred research papers. He served in the military, and as flight instructor for the Wabash Valley Soaring Association.*

**From that now famous memo can we draw a line, via the Court that Powell sat upon, to the subsequent rise of corporate power, and its lofty perch in our government?**



Lewis F. Powell, Supreme Court Justice and corporate lawyer, who encouraged the US Chamber of Commerce and its members to promote corporate power.

# Montana Pushes Back Against Citizens United

by Jeff Clements and Gwen Stowe

A century ago, Montana's massive copper mining corporations and those who controlled them—known as the “Copper Kings”—dominated state government and elections. “The corruption of Montana politics was by no means limited to bribery,” explains the state's current attorney general, Steve Bullock. “The ‘Copper Kings’ dominated political debate in Montana and drowned out Montanans’ own voices. This was corruption as it was understood since the framing of the Constitution: not mere theft or bribery, but harnessing government power to benefit a single corporate faction at the expense of the broader and more diverse interests represented by the people themselves.”

To stop the Copper Kings, Montana in 1912 passed the Corrupt Practices Act, which, for nearly a century, prohibited corporations from “pay[ing] or contribut[ing] in order to aid, promote or prevent the nomination or election of any person.” All that changed last year, when the Supreme Court's decision in Citizens United used a “corporate speech” theory of the First Amendment to strike down federal regulation of corporate election spending. Soon after, a state court in Helena ruled the Corrupt Practices Act unconstitutional under the Citizens United ruling.

But Attorney General Bullock is defending the state's right to regulate corporate corruption in its elections. The first direct challenge to Citizens United, called Western Tradition Partnership, Inc. v. Attorney General of Montana, is heading to the Montana Supreme Court, which is expected to decide later this year whether the people of Montana can preserve Montana's authority to regulate corporate power and to prevent corporate corruption of elections and government.

Montana argues that the Citizens United ruling did not consider the strong evidence that regulation is needed to combat corporate domination and corruption. The case also argues that Citizens United should not invalidate state laws that prevent corporate political spending from corrupting self-government in the states.

Free Speech for People, a national non-partisan campaign to overturn Citizens United and to adopt the People's Rights Amendment, is leading an effort to support Montana's fight, joined by the American Sustainable Business Council, the Montana-based American Independent Business Alliance, and Montana businesses. Free Speech for People and its business allies recently filed a

brief in the Montana Supreme Court to support Montana's challenge to Citizens United and the concept of corporate “rights.”

The brief argues, “Despite the early assumption [in Citizens United] that ‘corporate speech’ (i.e., the unregulated political spending of corporate

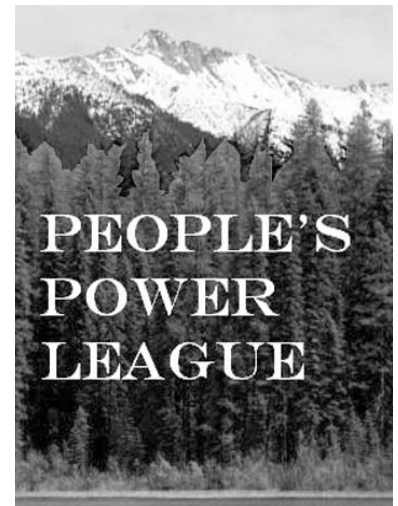
funds) might give ‘business’ a ‘voice,’ the thousands of small and medium-sized businesses that create most American jobs, and the vast majority of all American businesses that seek to compete on a level playing field without spending precious capital on politics, are losing ground to giant corporations that spend millions to buy unfair advantage.”

A 2010 Hart Research Associates poll shows opposition to Citizens United transcends party lines, with 79 percent of Americans, including Democrats (87 percent), independents (82 percent), and Republicans (68 percent) all supporting the passage of a Constitutional amendment to reverse the Court's decision.

Since the decision, nearly a million Americans have signed resolutions calling for such an amendment, and amendment resolutions are advancing in several state legislatures. Bills calling for a 28th Amendment to reverse Citizens United have also been introduced in the US House and Senate.

In February 2010 Congressional testimony, Attorney General Bullock said that one hundred years ago the passage of Montana's Corrupt Practices Act “represented nothing less than the voters taking back a government that belongs to them, and only to them.” It's time for that to happen again.

*This is an excerpt of an article Gwen Stowe and Jeff Clements wrote for YES! Magazine, a national, non-profit media organization that fuses powerful ideas with practical actions for a just and sustainable world. Gwen Stowe is an Associate and Jeff Clement is co-founder and general counsel at Free Speech for People.*



*The People's Power League was formed 100 years ago to fight corporate corruption in Montana and push for the passage of the Corrupt Practices Act. The group was reactivated to help save Montana's Corrupt Practices Act after the Citizens United decision endangered it..*

**Montana argues that the Citizens United ruling did not consider the strong evidence that regulation is needed to combat corporate domination and corruption.**



# Open-Government Activists

## Build Accountability at TransparencyCamp

by Zubedah Nanfuka and Nicole Aro

TransparencyCamp is the Sunlight Foundation's annual "unconference"—a BarCamp style gathering for everyone—activists, government officials, reporters, bloggers, technologists, civic hackers\* and concerned citizens—to come together and help make a more open, transparent and accountable government. There's no pre-set agenda. Challenges and solutions are essentially crowdsourced—arrived at by participants at the conference.

Sunlight held its fourth TransparencyCamp on April 30 and May 1, 2011 in Washington, DC. More than 250 activists came together to share their knowledge about how best to use new technologies and policies to make our government really work for the people. This year, we focused on showcasing the progress that's being made across the country at all levels of government, and to open up the conversation on what we, as a community, can do to support these new efforts. For the first time, Sunlight also convened 22 open-government advocates from 15 different countries to share their experiences, showing that the open-government movement is both local and global. Jessie Newburn, one of TransparencyCamp's attendees, summed the experience up best:

"It's a growing movement—from the citizens to the residents in places\*\* and for the government to start saying we need to be talking together and working together more. It is a beautiful citizen uprising, but it is not an uprising that says we have come here to destroy or tear you down. It is an uprising that says we have come here to help you be more efficient."

The way citizens can track money in politics was a key topic at TransparencyCamp. In the state campaign-finance-disclosure session, citizens learned that they could use online resources like the National Institute on Money in State Politics (<http://www.followthemoney.org/>) to track how lobbying money and political contributions play a pivotal role in shaping public policy in their state; and how they can engage with other citizens to hold government accountable through platforms like the Public Insight Network. Want to track government spending? The website "Where does my money go" (<http://where-doesmymoneygo.org/>) shows the public where their taxpayer money goes on a daily basis.

TransparencyCamp brings together many different viewpoints to work towards a common goal, but our work for a more open and transpar-

ent government neither starts nor ends with a conference.

Sunlight works year-round to foster several online communities of passionate open-government advocates, as well as to encourage and support new communities that were created because of TransparencyCamp. We welcome you to get involved.

Some of our most well known communities are:

- Sunlight Labs—a list of over one thousand civic hackers\* and software developers.
- The Open House Project started as a project to aggregate information about congressional committees; now it is our policy hub for the open government community.
- Citizens for Open Government—membership is open to anyone who cares about open government or is working to promote transparency, whether it's in their town, state or country.

Another community we're proud to support is CityCamp, whose tagline is "Gov 2.0 goes local." If you missed TransparencyCamp, we strongly encourage people to attend (or organize!) a CityCamp near you. Want to just dip your toes in the water? Try a Meetup: [meetup.com/sunlightfoundation](http://meetup.com/sunlightfoundation).

\* *Civic hackers—also called "hacktivists"—use technology for the public good. (Ed.)*

\*\* *Residents in place are residents working together to create a sense of place. (Ed.)*

*Zubedah Nanfuka is the Grassroot Organizer and Nicole Aro is the Organizing Director at the Sunlight Foundation.*



photo: justgrimes

**250 activists came together to share their knowledge about how best to use new technologies and policies to make our government really work for the people.**



photo: justgrimes



graphic: Peter Veres

## 19th Century Election Reform

Early elections in the United States of America were internal affairs of elite white male property owners. Corruption systems had been well worked out in the English Parliament and American colonies long before elections under the new Constitution were first held. However, the American Revolution unleashed ideas about democracy and equality that led to enlarging the right to vote on a state-by-state basis.

A turning point was the election of 1824, when, for the first time, most adult white males were eligible to vote. Also for the first time, the voters chose the Electoral College electors, and hence presidential candidates. Before 1824 the majority of states had the state legislatures choose their delegations to the Electoral College. This democratization threatened the rule by the wealthy in a number of ways; it had already resulted in debtor holidays in some states.

A refined system for manipulating the poorer but more numerous voters was devised by General Andrew Jackson and his supporters for the elections of 1824, 1826, and 1828. Jackson made appointments to federal jobs the basis of partisan political power and control. A faction of wealthy men, mostly slave owners, controlled the Democratic Party. They doled out offices in the federal postal and customs bureaucracies. The money needed for election campaign events, along with meals and liquor, in turn, came from the salaries of these federal officials. This system worked well for the plantation owners and their allies for decades—both parties used it.

The Civil War brought an immense expansion of federal government, but the near destruction of the Democratic

Party brought about an opportunity for reform. High-minded Republicans were appalled by the corruption in their own party, particularly under the administration of President Ulysses S. Grant. The election finance system had become worse than ever. Civil servants were forced to pay money into party election coffers to keep their jobs.

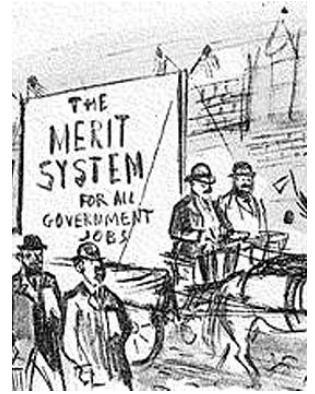
This led to the Act of August 16, 1876 (the Anti-Assessment Law), “prohibiting certain officers of the United States from requesting, giving to, or receiving from any other officer, money or property or other things of value for political purposes.” The Supreme Court found the law constitutional in *Ex Parte Curtis*, 106 US 371 (1882).

In 1880, the Republican Party was divided into two factions over the issue of civil service reform. The reform faction, known as the “Half-Breeds,” wanted to make most federal civil service jobs non-political appointments. “The Stalwarts” liked the old system. This led to a deadlock at the Republican Convention of 1880. As a compromise, a moderate “Half-Breed,” James Garfield, was nominated for (and became) President, with a moderate “Stalwart,” Chester Arthur, as his Vice President.

President Garfield refused to appoint a supporter, Charles Guiteau, to a paid office. Guiteau assassinated Garfield. Chester Arthur decided the nation needed political reform, and so signed into law the Pendleton Act of 1883. This established the Civil Service Commission and the idea that civil servants could obtain employment through competitive examinations.

The ruling elite, however, was still in place, and wealth had become even more concentrated by the Industrial Revolution. The Democrats won the Presidency with Grover Cleveland in 1884, having successfully disenfranchised black voters in the southern states. In 1888 the Republicans perfected their new campaign finance system. They raised an unprecedented \$3 million from industrial capitalists; they bought votes with cash in crucial states and put Benjamin Harrison in the office of President. Capital now ruled in the United States of America.

*William P. Meyers is the author of America: Republic or Democracy?, which can be read online at [www.williampmeyers.org/republic.html](http://www.williampmeyers.org/republic.html)*



1880s election reform—hoping for a better future.

**The ruling elite, however, was still in place, and wealth had become even more concentrated by the Industrial Revolution.**





# Ending Corporate Rule Begins at the Grassroots

by Jim Tarbell

**M**ove to Amend (MTA) came together as the impending Supreme Court Citizens United decision portended a tsunami of corporate money and power overrunning our elections. With Congress evidently bought-off, MTA decided to begin the monumental effort of amending the US Constitution at the grassroots.

In Mendocino County, on the Northern California Coast, our local AfD group initiated an educational campaign aimed at getting the four city councils in the county to pass resolutions supporting a US Constitutional amendment to end illegitimate, court-granted corporate rights. From there we will move on to the county and the state to either get legislative resolutions or pass popular referendums supporting this effort.

We started with David Cobb barnstorming the county for Move to Amend, and then got down to the community level, presenting a workshop called "End Environmental Destruction, War, and Political Corruption by Eliminating Corporate Rule" at local festivals and schools.

Once faced with the task of approaching the city councils, however, we had to address how corporate personhood restricts city budgets and annihilates local control. We put together a brochure on the local impacts of corporate personhood and put a notice in the paper calling for volunteers to address the Fort Bragg City Council. Much to our delight, our first meeting collected an unlikely cross-section of the community—people who had never been political, but who were determined to end illegitimate corporate rights that were meant for humans.

With help from allied city councillors, we created a strategy and list of locally relevant topics that different people could speak about in front of the

City Council. The impacts of corporate power on self-governance, labelling, local health and environmental concerns, city budgets and planning headed the list.

In a series of pre-rehearsed, three-minute speeches during the public comment section of a January, 2011 City Council meeting, twelve of our volunteers—several of whom felt they could never address the City Council—made a spectacular presentation. The mayor said it was the most informed presentation he had ever seen at the City Council and it swayed him to support the cause. The Fort Bragg Resolution eventually garnered a 4-0 vote. Several of the councillors had said that they would only support resolutions that directly impacted city business and after the presentation, they were convinced that it was. You can see a video of the presentations at <http://blip.tv/file/get/Alliancefd-PreservingSelfGovernment486.mov>

Now we are moving to the other cities in Mendocino County. We met with a group of concerned citizens in Ukiah, the county seat, who are determined to carry the issue forward to their city council. We are happy to help other communities across the country succeed in the same sort of campaign. We can provide you with the brochure we created, the speeches we made and the myriad letters to the editor we wrote. Contact [tw@mcn.org](mailto:tw@mcn.org) or go to the [www.MoveToAmend.org](http://www.MoveToAmend.org) for lots of helpful information.



Corporate pirate entices crowd with Big Money in campaign to get the County of Mendocino and its four cities to support a resolution banning corporate personhood. photo: Frank Hartzell



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## Why You Should Care

### Corporate Money Buys our Politicians

Our 2010 election cycle saw the creation of a host of new nonprofit corporations designed to raise independent campaign funds for pro-big business candidates. These super-PACs dominated the 2010 election results and created a House of Representatives controlled by a corporate-friendly majority, ready to do the bidding of their campaign contributors. Now, all the major political actors have realized that they have to be corporate-friendly if they are going to be successful in our pay-to-play electoral system

### Roberts Court Frees Corporate Monster

John Roberts, who spent his legal career as the most successful corporate lawyer in Washington, is now leading the US Supreme Court toward eliminating all restrictions on corporate campaign contributions. Not only did their 2010 decision allow corporations to contribute unlimited amounts from their corporate treasuries to independent political campaigns, there is not even a requirement that the source of these corporate contributions need to be revealed.

### Corporate Agenda Destroys the Planet

From climate change to the destruction of the middle class, our biggest environmental and social problems are caused by the pro-corporate political agenda that is implemented by corporate-financed politicians. The corporate agenda prohibits rational solutions to green-house gas emissions and has held working wages at the same level for 40 years, while shareholder returns and executive pay has increased ten-fold in the same period.

### Citizens Need to Control Our Democracy

Corporations, not the general citizenry, control our electoral process. Our democracy must be controlled and financed by the common citizens of the country if our political system is really going to fulfill its role of protecting the common good and promoting a bountiful future for all. Only through citizens promoting publicly financed elections and removing illegitimate, court-created Constitutional rights for corporations will this be possible.



## What You Can Do

### Join the Move to Amend the Constitution

To end corporate corruption of our political system, we need to amend the US Constitution to make it clear that corporations do not have the same constitutional rights as natural persons. The Move to Amend grassroots movement is helping local communities across the country support such an amendment. You can join an existing MTA group or start a new group in your town. See [movetoamend.org](http://movetoamend.org) for more information.

### Track the Money Buying Your Elections

Shine a bright light on the political corruption in your local political area. Check out the Sunlight Foundation, [opensecrets.org](http://opensecrets.org) or [followthemoney.org](http://followthemoney.org) to understand: who is financing your elected officials, who they are beholden to, and what kind of favors your representatives are doing to keep the special interests happy and loyal.

### Promote Publicly Financed Elections

Join the long-established drive for publicly financed elections. Help create a system of clean elections in your community and state. See [publiccampaign.org](http://publiccampaign.org) for help. You can also encourage your federal representatives to support the federal Fair Elections Now Act that will create a campaign finance system that depends on small local donors rather than on large national and multi-national corporate funds

### Allow States to Regulate Corporate Contributions

At least 24 states have regulations on corporate campaign contributions that are now jeopardized by the Supreme Court's Citizens United decision that overturned a Michigan law prohibiting "corporations from funding the advocacy for or against state candidates." Make sure that your state defends its right to control corporate funding of elections. Montana's law is already being challenged (see page 14) and a decision is expected by the end of the year.