

Citizens united v. federal election comission

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Resolved: On balance, the Supreme Court decision in Citizens United v. Federal Election Commission harms the election process. My partner and I stand in firm negation of today's resolution. If my partner and I uphold that the Citizens United decision does not directly harm our election process, then we win today's round. Contention 1: Citizens United has negligible effect on public participation in elections. In fact, the decision actually supports voter turnout. Many would argue that a bombardment of ads and excessive spending discourage voters, but this is not the case.

In fact, there aren't any studies that back up this claim sufficiently. There are many studies however, that say that ads pique the interest of voters and encourage them to educate themselves about the candidates. The Journal of Politics reports that respondents in 2000 were as much as 10 percentage points more likely to vote if they watched much television (particularly daily news shows) in media markets that were bombarded with presidential ads. Exposure to the ads increased intentions to vote by 18 percentage points.

Clearly, campaign ads are very helpful when it comes to voter turnout, and after the case, there was a major increase in the amount of ads aired during a campaign according to a Wesleyan study. We have seen a 40% increase in ads since 2008. In addition, the number of ads only increased by 10, 000 from 2004-2008 compared to the 300, 000 increase from 2008-2012. Allowing corporations to fund ads and Political Action Committees raises awareness for elections, and potentially increase voter turnout. Contention 2: The decision by the court actually prevents corruption.

Matthew Melone, a professor from Depaul University, notes that, " To believe that corporate advocacy will distort the political process and lead to public

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lack of confidence in the system is to miss the point that influence will continue to be sought by other means. As long as elected officials offer themselves up for sale there will be buyers. Even if one believes that corporate express advocacy will become a currency for influence peddling, it is less objectionable than other forms of currying political favors: at least corporate advocacy is transparent. Indeed, the type of fairly easily monitored campaign contributions that Citizens United has legalized are the most transparent, least corrupt way for corporations to exert their influence. As a result, according to the Sustainable Investment Institute, 84 percent of large corporations now acknowledge and report their campaign contribution (up from 78 percent before Citizens United). In short, corporations have been given a legitimate, non-corrupt means of contributing to political campaigns and they are taking that opportunity instead of relying on back-door deals and other illegal methods.

In fact, transparency after Citizens United was increased. The New York Times says, “ An often-overlooked part of the Citizens United decision actually upheld disclosure requirements, saying that ‘ transparency enables the electorate to make informed decisions and give proper weight to different speakers and messages. ’ Lower courts have embraced the ruling, relying on Citizens United to reject challenges to disclosure laws, often in cases involving political spending related to social issues. ” So Citizens United actually made it easier for courts to reject challenges to disclosure laws, and thus creates more transparency.

The New York Times also said, “ None of this means that existing disclosure laws are necessarily adequate. But if they are not, the fault lies with

Congress and state legislatures, not the Supreme Court. " What many people fail to realize, is that these transparency issues we currently have were around long before the Citizens United decision. Citizens United is not to blame when it comes to corruption, because it actually helps keep corruption out of the election process. Contention 3: Our democratic approach in elections is upheld through the decision.

The court decision also better upholds the democratic ideals our election process is based on. Our 1st amendment rights give us the freedom of speech. This right does not only apply to individuals, but corporations as well. This is supported by the Supreme Court in such cases as Santa Clara County v. Southern Pacific Railroad Company which dictates that the term person, in the equal protection clause of the 14th amendment, applies to corporations as well as people. In addition, the Supreme Court also ruled in Buckley v.

Valeo that money to influence elections is a form of constitutionally protected free speech. So BCRA denying corporations their constitutional rights to donate and spend on elections harms democracy, and goes against our election process. Further, government regulation would inhibit the flow of information from corporations. Justice Kennedy upheld in the decision that " by definition, an independent expenditure is political speech presented to the electorate that is not coordinated with a candidate. " It is for the aforementioned reasons that my partner and I urge a con ballot. Thank you.