



Written by [Sheldon Richman](#) on June 28, 2012

How to Get Money out of Politics

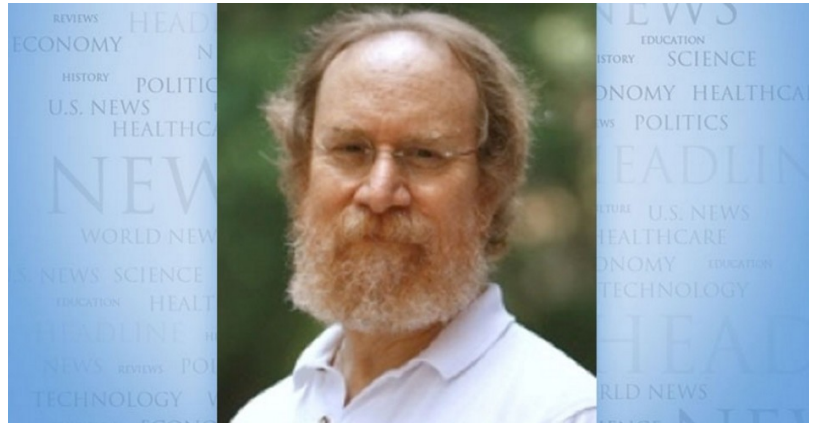
Watching the television pundits fret over campaign finance is amusing, because the solution to their problem is right under their noses. They just don't want to see it.

The pundits' favorite phrase that stands for everything evil in the political system is *Citizens United*. That's the nonprofit corporation that sued the government in 2008 when it was told that commercials for its anti-Hillary Clinton documentary couldn't be shown close to a Democrat primary election without violating McCain-Feingold, the latest campaign-finance law. The case went to the U.S. Supreme Court, which ruled that section of the law unconstitutional.

By the response, you'd have thought the heavens had fallen. Each day, cable television features commentators expressing their fears for the future of the republic: because of *Citizens United*, they say, billionaires can give huge contributions to super PACs to promote or denigrate candidates, as long as those efforts are not coordinated with an official campaign organization.

What a load of nonsense.

First, super PACs financed by wealthy individuals such as Newt Gingrich's former benefactor, Sheldon Adelson, were not made possible by *Citizens United*. That case was about corporations and unions, not individuals. Adelson is not a corporation. Therefore, before *Citizens United* he was free to give his money away to independent super PACs. As [Wendy Kaminer](#) points out in the *Atlantic*, the Supreme Court in 1976 held that individuals can give unlimited contributions to independent political





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organizations during election campaigns. Thus the claim that *Citizens United* overturned one hundred years of law is just wrong. True, one hundred years ago direct corporate contributions to candidates for national office were outlawed. But *Citizens United* doesn't change that. It deals with independent expenditures. Period.

Moreover, Kaminer writes, "as recent reports have made clear, individual donors, not corporations, are the primary funders of super PACs." So if you don't like the prominent role of super PACs in the presidential campaign, don't blame *Citizens United*. Had the case gone the other way, it would have made little difference.

Opponents of super-PAC campaign financing ridicule the idea that super PACs are really independent. Here they have a point. Let's face it, those organizations wouldn't have to meet face-to-face with a candidate or campaign manager to coordinate their efforts. It would be obvious to anyone running a PAC what message would best promote a candidacy and what message wouldn't. So the idea of independence does seem like a joke.

But so what? These critics claim they value freedom of speech and association. So why can't the people who run super PACs talk to the people who run the campaigns they are promoting? In fact, why can't donors give all the money they want directly to the candidates and parties of their choice?

The only reason we have super PACs is that, many years ago, Congress put limits on how much money people may give directly to national political campaigns. But why is that considered a proper restriction? In an open society, people should be free to do anything peaceful; giving to political campaigns is peaceful; therefore, government should not restrict, much less outlaw, unlimited contributions.

But, say the opponents of campaign finance (who support forced taxpayer finance of campaigns), we can't have wealthy people buying elections, because that would undermine democracy. The superficial response to this claim is that the better-financed candidate doesn't always win, and that voters don't robotically vote for the candidate with more television commercials.

There's a better response, however, and it's the one the campaign-finance opponents don't want to hear. As long as government has the power to sell privileges, people will spend big bucks to influence elections. The wealthy and well connected will *always* have better access to government than regular people.

So if you want money out of politics, deny government the power to dispense privileges. No one can buy



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where there's nothing for sale.

But this is only the beginning of the good news. Not only would stripping government of this power reduce the role of money in politics, it would also move us toward a free society. We have no right to call ourselves free as long as the government can bestow favors at the expense of taxpayers.

Sheldon Richman is senior fellow at [The Future of Freedom Foundation](#) and editor of The Freeman magazine.



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