

Supreme Court Ruling On Campaign Finance

There has been much debate over the recent Supreme Court ruling on campaign finance. President Obama even made mention of it in his State of the Union address saying that the ruling permits foreign nationals and foreign corporations to spend money on American campaigns. Justice Alito whispered: "That's not true" and he was right. The president, a former professor of law either did not read the opinion, or was not telling the truth. The problem goes back to an 1886 Supreme Court Case, [*Santa Clara County v. Southern Pacific Railroad*](#), 118 U.S. 394. Some critics of corporate personhood, such as author [Thom Hartmann](#) in his book "Unequal Protection: The Rise of Corporate Dominance and the Theft of Human Rights," claim that this was an intentional misinterpretation of the case inserted into the Court record by reporter [J.C. Bancroft Davis](#).^[1] Bancroft Davis had previously served as president of Newburgh and New York Railway Co.

Objections focus on constitutional protections granted to corporations, including claims of a Constitutional right to contribute to political campaigns. It is argued that, because of the 1886 decision, "the 'monopolies in commerce' that Jefferson had wanted to prohibit in the Bill of Rights were full-blown monsters, crushing competition from smaller businesses, bleeding farmers with extortionate shipping costs, and buying politicians at every level of government"^[3].

As a matter of interpretations of the word "person" in the [Fourteenth Amendment](#), U.S. courts have extended certain constitutional protections to corporations.^[citation needed] Opponents of corporate personhood wish to limit these rights to those provided by state constitutions through constitutional amendment.^[4] Others argue that corporations should have the protection of the U.S. Constitution, pointing out that they are just organizations of people, and that these people shouldn't be deprived of their human rights when they join with others to act collectively.^[5] Though it is argued this is a form of double-representation. People may join together to act collectively while they are simultaneously able to act individually, giving them a greater presence than just individuals. In other words, some argue that a corporation's interests are already covered by all individuals who hold an interest in a corporation, for example, shareholders, employees and customers.

No matter what is decided in regard to corporate rights, the only real safeguard from undue political influence is an educated electorate.

Alice Losasso