

# The Supreme Court ruling on campaign donations: Government of, by and for the rich

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The United States Supreme Court ruled 5-4 Wednesday to remove the cap on the total amount of money individuals can contribute to political campaigns, eliminating yet another constraint on the direct domination of the financial oligarchy over political life.

The ruling in the case of *McCutcheon v. Federal Election Commission* overturns a 1976 Supreme Court decision that upheld the limit, currently at \$123,000 on total campaign contributions during each two-year election cycle. While the ruling leaves in place the limit on contributions to individual candidates, currently set at \$2,600 per candidate per election, it is only a matter of time before this too is struck on the basis of the same logic.

In a dissent from the bench, Associate Justice Stephen Breyer noted that the ruling increases the maximum amount of political contributions to “the number infinity.” He added that “today’s decision may well open a floodgate” to campaign contributions by the rich.

Instead of being limited to donating \$48,600 to federal candidates and \$74,600 to state and local political party committees per election cycle, the decision means that a wealthy donor who wanted to give the maximum legal contribution to every local and national candidate in their party could donate up to \$6 million per election, according to Reuters.

The ruling, authored by Chief Justice John Roberts, offers an oligarchic and anti-democratic reinterpretation of the First Amendment. Roberts argues, under the guise of defending “freedom of speech,” that the First Amendment protects the right of tiny layer of the population to unfettered control over the political system.

Roberts writes that “we have made clear that

Congress may not regulate contributions simply to reduce the amount of money in politics, or to restrict the political participation of some in order to enhance the relative influence of others.” It adds, “Money in politics may at times seem repugnant to some, but so too does much of what the First Amendment vigorously protects.”

The ruling is the latest in a series of anti-democratic decisions relating to election law. It is an extension of the reactionary principles expressed in the 2010 ruling in *Citizens United v. Federal Election Commission*, in which the Supreme Court ruled that for-profit corporations are “persons” that can not be restricted in “independent” political expenditures. That decision paved the way for the proliferation of “Super-PACs,” funded by the ultra-rich, which now have the ability to spend unlimited funds to manipulate elections.

In June of last year, the Supreme Court effectively gutted the 1965 Voting Rights Act by removing the law’s enforcement mechanism, which requires certain states to pre-clear any changes in voting procedures with the federal government. Immediately following the decision, the states of Texas, Mississippi, Alabama, South Carolina and Virginia all announced new measures aimed at excluding workers, the poor and minorities from voting.

Such decisions solidify a process in which elections in the United States are contests between various agents of big business, Democrats and Republicans alike, over who can raise the most money from millionaire and billionaire donors. Ever-greater sums are raised by candidates to fund enormous marketing operations designed to sell big business politicians to an increasingly disinterested and hostile population. In the 2012 election cycle, including both the presidential and congressional elections, candidates spent a staggering

\$6 billion, more than twice what was spent in 2000.

Government “of the people, by the people, for the people,” as proclaimed by Lincoln in his Gettysburg Address just over 150 years ago has become government “of the rich, by the rich, for the rich.” Not only are the politicians controlled by the wealthy, they are increasingly drawn directly from the ruling class itself. Earlier this year, the Center for Responsive Politics reported that, for the first time in history, most members of the US Congress are millionaires.

The terminal decay of the election system is part of a broader collapse of all democratic norms in the United States. This collapse extends back decades, but was escalated immensely following the theft of the 2000 elections and the installation, by several of the same justices that voted in this week’s ruling, of a candidate who lost the popular vote.

Every fundamental constitutional protection has been gutted, under Bush and then Obama, by a government that declares the right to spy on the population and torture and assassinate US citizens without due process. All of these attacks are expressions of a state that functions ever more nakedly as an instrument of the financial aristocracy, determined to meet any opposition with military and police repression.

The split in the Supreme Court over the ruling reflects concerns from sections of the ruling class about the far-reaching political implications of these developments. “Today’s decision,” wrote Breyer, “eviscerates our nation’s campaign finance laws, leaving a remnant incapable of dealing with the grave problems of democratic legitimacy that those laws were intended to resolve.”

Breyer’s concerns about “grave problems of democratic legitimacy” are well-founded. All the institutions of bourgeois rule—from Congress, to the presidency, to the high court itself—are deeply discredited, with a growing understanding among the population as a whole that the state is nothing more than an instrument of the rich.

Whatever the qualms of liberals such as Breyer, however, there is no solution to this problem within the framework of the capitalist system that they defend. The collapse of democratic forms is the political expression of profound social processes—the decline of American capitalism, the growth of parasitism, the relentless attack on the social conditions of the working

class and, above all, the growth of social inequality.

Genuine democratic forms cannot be established within the framework of the existing institutions, but only through the overthrow of these institutions through the revolutionary mobilization of the working class, in the United States and internationally, as an independent force. The aim of this political movement must be the restructuring of social and economic relations, replacing the domination of the corporate and financial elite with social equality and the democratic control of economic life on the basis of social need, that is, through the establishment of socialism.



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